

## 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. 1-22 Labor & Tourism on H.B. No. 1787**

The purpose of this measure is to:

- (1) Establish Employment First as a state policy with respect to persons with disabilities;
- (2) Require state and county agencies to implement this policy in hiring and all programs and services administered or funded by the State or counties; and
- (3) Apply Employment First principles to Medicaid home- and community-based waiver programs.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Disability Rights Center, Rainbow Family 808, Hawaii Self Advocacy Advisory Council, and Full Life. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Department of Human Services.

Your Committee finds that Employment First principles promote the full inclusion of persons with disabilities in the workplace and community through integrated employment. Through Act 55, Session Laws of Hawaii 2021, the Legislature affirmed its commitment to support the employment of persons with disabilities by ending the practice of paying persons with disabilities below the minimum wage. Your Committee finds that this measure is a logical next step in integrating persons with disabilities into the workforce.

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. 1787, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1787, 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. 2-22 Labor & Tourism on H.B. No. 1789**

The purpose of this measure is to:

- (1) Establish that the representative of labor on the Hawaii Labor Relations Board (HLRB) shall be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Provide a timeframe for the Governor to appoint the representative of labor following submission of the nominee's name.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; State of Hawaii Organization of Police Officers; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii State Teachers Association; Hawaii Fire Fighters Association; 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 Hawaii Labor Relations Board and Department of Budget and Finance.

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 to the HLRB. While your Committee appreciates the concerns raised in testimony, your Committee believes this measure should be allowed to advance and receive further discussion amongst stakeholders.

Accordingly, 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. 1789, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1789, 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. 3-22 Labor & Tourism on H.B. No. 1839**

The purpose of this measure is to make camper vans a type of transient accommodation, the rental of which is subject to the transient accommodations tax.

Your Committee received testimony in support of this measure from the Chair of the Maui County Council. Your Committee received testimony in opposition to this measure from the Hawaii Lodging and Tourism Association. Your Committee received comments on this measure from the Department of Taxation, Hawaii Tourism Authority, Tax Foundation of Hawaii, and Maui Hotel and Lodging Association.

Your Committee finds that businesses and private individuals are increasingly renting camper vans to visitors that essentially function as transient accommodations in lieu of hotel rooms or transient vacation rentals. Your Committee notes concerns raised as to whether camper vans should be taxed as an accommodation, but as the counties do not have anything in place to address this, your Committee believes it is important to get ahead of this issue to avoid the same problems caused by short term vacation rentals.

Your Committee has amended this measure by:

- (1) Amending the definition of "gross rental" or "gross rental proceeds" as it relates to the transient accommodations tax to exclude amounts collected as rental vehicle surcharge taxes;
- (2) Changing the effective date to January 1, 2023, to allow the Department of Taxation time to make the necessary changes to its forms and 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1839, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1839, 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 (Quinlan, Okimoto). Noes, none. Excused, none.

**SCRep. 4-22 Water & Land on H.B. No. 1668**

The purpose of this measure is to require and appropriate funds for the Office of Planning and Sustainable Development to conduct a study of the suitability of the Land Study Bureau soil overall (master) productivity rating system and other soil classification systems in the regulation of agricultural lands in the State and make recommendations for the use of soil classification systems for agricultural land use regulation.

Your Committee received testimony in support of this measure from the Department of Agriculture, University of Hawai'i System, Hawaii State Energy Office, and Office of Planning and Sustainable Development. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the last statewide soil mapping, classification, and characterization study was completed fifty years ago when plantation sugar cane and pineapple production dominated Hawaii agriculture. To help optimize public and private investments in agriculture and meet Hawaii's food and agricultural sustainability goals, accurate soil data is needed.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1668, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1668, H.D. 1, and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 5-22 Water & Land on H.B. No. 1840**

The purpose of this measure is to authorize an appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres but less than or equal to fifty acres if the county has adopted an ordinance that meets certain requirements.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which adds the requirement that the district boundary amendment is necessary to produce housing, sixty percent of which must be reserved for occupants whose incomes do not exceed one hundred forty percent of the area median income.

Your Committee received testimony in support of the proposed H.D. 1 from the Office of Planning and Sustainable Development, Planning Department of Hawaii County, and Hawai'i Association of REALTORS. Your Committee received testimony in opposition to the proposed H.D. 1 from the Land Use Commission, Sierra Club of Hawai'i, Hawai'i Farm Bureau, and Hawai'i Alliance for Progressive Action. Your Committee received comments on the proposed H.D. 1 from the Department of Agriculture.

Your Committee finds that the proposed H.D. 1 seeks to address the State's critical need for affordable housing, while also providing greater flexibility to address differences between state land use district classifications and county general plans and community development plans. Your Committee further finds that this flexibility is appropriate in view of the comprehensiveness of the county planning process and extensiveness of community involvement when county plans are updated.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Changing the income cap for the affordable housing requirement to eighty percent of the area median income;
- (2) Prohibiting parceling, defined as the subdivision of lands greater than twenty-five acres into two or more parcels, more than one of which is then proposed for reclassification within a ten-year period from the date of the subdivision;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purpose of clarity, consistency, and style.

Your Committee respectfully urges your Committees on Consumer Protection & Commerce and Finance, should they choose to hear this measure, to seek an explanation from the counties on how they can meet the requirements of due process and contested case hearings, as noted in the testimony of the Land Use Commission.

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. 1840, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1840, 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, B. Kobayashi). Noes, none. Excused, 2 (Kong, McDermott).

**SCRep. 6-22 Water & Land on H.B. No. 1900**

The purpose of this measure is to modernize the definition of thrill craft, as used in the state boating law, and include within the term surfboards using a motorized hydrofoil.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kihei Community Association, For the Fishes, and twelve individuals. Your Committee received testimony in opposition to this measure from E-Foil Hawaii, Lift Foils, and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that modernizing the definition of "thrill craft" will help prevent ambiguity in classifying certain vessels as thrill craft. Your Committee further finds that specifically classifying surfboards with motorized hydrofoils as "thrill craft" will help prevent ocean user conflicts and increase safety.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1900, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1900, 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 (Morikawa). Noes, none. Excused, 2 (Kong, McDermott).

#### **SCRep. 7-22      Pandemic & Disaster Preparedness on H.B. No. 1415**

The purpose of this measure is to establish a program within the Hawaii State Fusion Center to train, establish, and operate threat assessment teams, including for educational institutions.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Fusion Center, and Honolulu Police Department. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that it is important to be proactive with efforts to keep the community safe from violence and potential acts of violence by engaging in threat assessment actions and protocols. Creating a team of diverse individuals with various skillsets will help identify, assess, and manage potential threats before they occur. Your Committee believes that having a program that allows the State to take preemptive measures against any type of threat can improve the State's ability to protect its residents and visitors.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education and State Public Charter School Commission to vet education threat assessment team members for suitability to receive protected health information, educational records, and criminal history information, in consultation with the Hawaii State Fusion Center;
- (2) Amending its purpose section to clarify that threat assessment teams work with state and county emergency management partners, where appropriate;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1415, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1415, H.D. 1, and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 8-22      Pandemic & Disaster Preparedness on H.B. No. 1571**

The purpose of this measure is to:

- (1) Make it a civil violation for a person to:
  - (A) Misrepresent to a business, church, nonprofit organization, or governmental entity the person's COVID-19 vaccination status;
  - (B) Falsify or alter a COVID-19 vaccination card, or purchase or use a falsified or altered COVID-19 vaccination card; and
  - (C) Sell, distribute, or manufacture a falsified or altered COVID-19 vaccination card; and
- (2) Establish fines.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Primary Care Association, and one individual. Your Committee received testimony in opposition to this measure from numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that to combat the spread of the coronavirus disease 2019 (COVID-19), many states, including Hawaii, have implemented vaccination mandates that require proof of vaccination or a negative COVID-19 test prior to entering certain establishments. While this mandate was implemented to ensure the safety of citizens, some who elect not to get vaccinated or take a COVID-19 test have chosen to participate in a very dangerous and illegal activity by misrepresenting their vaccination status through the use of falsified or altered vaccination cards. Your Committee believes that clarifying the penalties relating to misrepresenting an individual's COVID-19 vaccination status will allow the State to better protect its residents and visitors.

Your Committee notes the testimony from the Department of the Attorney General requesting your Committee to change the civil violations into criminal offenses and testimony from the Hawai'i Primary Care Association requesting certain immunity to health care workers for mistakes made in good faith. Your Committee acknowledges these concerns but believes this to be the subject matter for your Committee on Judiciary & Hawaiian Affairs. As such, your Committee respectfully requests that should your Committee on Judiciary & Hawaiian Affairs hear this measure, they take into consideration the two requested amendments.

Your Committee has amended this measure by:

- (1) Inserting the provisions of this measure in Session Law, rather than codifying it in chapter 325, Hawaii Revised Statutes;
- (2) Inserting a sunset date of June 30, 2023;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1571, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1571, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ward). Noes, none. Excused, none.

#### **SCRep. 9-22      Pandemic & Disaster Preparedness on H.B. No. 1736**

The purpose of this measure is to temporarily allow licensed teachers who have recently retired to be employed as teachers during a state of emergency.



Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual. Your Committee received comments on this measure from the Hawaii Emergency Management Agency and Employees' Retirement System.

Your Committee finds that the State's severe shortage of teachers was further exacerbated by the coronavirus disease 2019 (COVID-19) pandemic, as many teachers have had to stay home due to exposure to COVID-19, whether in their personal lives or in their classrooms. Your Committee further finds that during the 2020-2021 academic year, over four hundred teachers retired. Your Committee believes that retired teachers are an asset that can be used during a time of emergency to address the shortage of teachers; however, existing law prevents recently retired teachers from doing so. This measure will remedy that by authorizing recently retired teachers to continue to teach during a state of emergency.

Your Committee notes the concern from the Employees' Retirement System regarding the potential negative impact this measure may have on the Employees' Retirement System's status as a qualified governmental plan under the Internal Revenue Code. While it is not the intent of your Committee to jeopardize the Employees' Retirement System's tax qualified status, your Committee finds that this measure addresses a very important issue for the State and believes it should continue through the legislative process while allowing the Employees' Retirement System to consult with its tax counsel.

Accordingly, 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1736, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1736, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 10-22      Pandemic & Disaster Preparedness on H.B. No. 1834**

The purpose of this measure is to:

- (1) Require the Department of Education to establish and administer the strong students grant pilot program to provide grants for eligible education expenses to eligible students;
- (2) Require the Department of Education to submit progress reports on the pilot program to the Legislature; and
- (3) Appropriate funds received from the Elementary and Secondary School Emergency Relief Fund, as established by the Coronavirus Aid, Relief, and Economic Security Act and Coronavirus Response and Relief Supplemental Appropriations Act for the pilot program.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, HawaiiKidsCAN, and three individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Education.

Your Committee finds that the coronavirus disease 2019 pandemic has been disruptive to student learning. To assist in mitigating the disruptiveness the pandemic caused, the State received federal funding to help families in Hawaii through the Elementary and Secondary School Emergency Relief Fund established by the Coronavirus Aid, Relief, and Economic Security Act and Coronavirus Response and Relief Supplemental Appropriations Act. These monies are necessary to ensure students are able to effectively continue learning.

However, your Committee notes that the testimonies from the Department of the Attorney General and Department of Education point out a potential violation of federal guidance for spending Elementary and Secondary School Emergency Relief funds, which authorizes the Department of Education to use the funds for a broad range of activities, but does not allow the Legislature to limit the Department's use of these funds. This measure's directive to use these funds for the pilot program may be deemed as limiting the Department's ability to allocate these funds. As such, your Committee believes that the funding source for this important pilot program should be changed to the general fund, as to not jeopardize the Department of Education's federal funding. However, your Committee respectfully requests that should your Committee on Education hear this measure, it consider whether the general fund is an appropriate funding source.

Accordingly, your Committee has amended this measure by:

- (1) Changing the source of funding for the appropriation from the Elementary and Secondary School Emergency Relief Fund to the general fund;
- (2) Amending the purpose section in accordance with its amended purpose;
- (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.

Your Committee notes that although the appropriation amount is currently blank in this measure, the requested amount is \$5,000,000 for the pilot program.

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. 1834, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1834, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (McKelvey, Ward). Noes, none. Excused, none.

#### **SCRep. 11-22      Water & Land on H.B. No. 511**

The purpose of this measure is to require that plans and applications for registration of title relating to the purchase of any property consisting of more than ten acres be accompanied by a sworn affidavit that the community where the land is located has been given notice of the applicant's intended use of the land and a copy of the notice.

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

Your Committee finds that the use of land, particularly on large lots, can change over time as the land is resold and replanned with no notice to the community. This measure will ensure that the community where the land is located is given notice of the applicant's intended use of the land.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 511, 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 (Kong, McDermott).

#### **SCRep. 12-22 Energy & Environmental Protection on H.B. No. 1522**

The purpose of this measure is to require:

- (1) The Public Utilities Commission to develop an estimated social cost of carbon;
- (2) Each regulated electric and gas utility to use the estimated social cost of carbon in that utility's respective integrated resource planning process; and
- (3) The State and University of Hawaii to consider the estimated social cost of carbon in planning new infrastructure and capital improvement projects.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Imua Alliance, and one individual. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Commerce and Consumer Affairs, University of Hawai'i System, and Life of the Land.

Your Committee finds that in order for the State to make comprehensive and cost-effective assessments of investments in durable infrastructure projects, the cost of the greenhouse gas emissions associated with that infrastructure should be considered. While an explicit carbon price might be a tax or a fee levied directly on emissions, an implicit carbon price assigns a monetary value on greenhouse gas emissions that can then be factored into decisions as a way to account for climate-related risks and to align state actions with state policies that seek to reduce emissions. Therefore, the adoption of an implicit carbon price will help to guide decisions in the present so that actions taken now are in alignment with the transition to a low-carbon economy.

Your Committee has amended this measure by:

- (1) Deleting references to the University of Hawaii;
- (2) Changing the effective date to July 1, 2100, 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. 1522, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1522, 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. 13-22 Energy & Environmental Protection on H.B. No. 1805**

The purpose of this measure is to:

- (1) Require cesspool upgrades, conversions, or connections at the point of sale of real property, with certain exemptions; and
- (2) Provide a tax credit for the upgrade or conversion of a cesspool to a department-approved wastewater system or connection of a cesspool to a sewerage system.

Your Committee received testimony in support of this measure from the Department of Health, Life of the Land, Hawaii Reef and Ocean Coalition, WAI: Wastewater Alternatives & Innovations, Rotary Club Hanalei Bay, Surfrider Foundation, and fourteen individuals. 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 and Department of Budget and Finance.

Your Committee finds that Hawaii has nearly eighty-eight thousand cesspools that release more than fifty million gallons of raw sewage into the State's groundwater and surface waters every day. While the State established a requirement for all cesspools in the State to be connected to a sewerage system or upgraded or converted to certain Department of Health-approved wastewater management systems by 2050, further mechanisms must be in place to reduce the number of cesspools in the State, which have the potential to pollute groundwater and harm streams and coastal resources.

Your Committee has amended this measure by:

- (1) Specifying that a taxpayer's federal adjusted gross income be used as the income threshold determinant of the tax credit eligibility and amount;
- (2) Specifying that the income tax credit for a cesspool upgrade, conversion, or connection applies to taxable years beginning after December 31, 2022;
- (3) Clarifying that the upgraded or converted wastewater system be approved by the Director of Health;
- (4) Allowing cesspools to be converted within twelve months of the date of sale recordation;
- (5) Specifying that the cesspool upgrade, conversion, or connection point-of-sale mandate only applies to cesspools located on properties that are within one thousand feet of a shoreline, perennial stream, wetland, drinking water well, or sensitive body of water;
- (6) Authorizing the Department of Health to establish rules for the enforcement of cesspool upgrade, conversion, or connection point-of-sale requirements;
- (7) Inserting language that appropriates funds for four full-time equivalent (4.0 FTE) positions for the Department of Health's Wastewater Branch to assist with monitoring and enforcing cesspool upgrades, conversions, and connections;
- (8) Changing the effective date to July 1, 2100, 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. 1805, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1805, 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, 1 (Tokioka). Excused, none.

**SCRep. 14-22 Energy & Environmental Protection on H.B. No. 1807**

The purpose of this measure is to direct the Public Utilities Commission to adopt guidelines that require electric utilities to develop electricity load management plans that integrate and leverage the capabilities of distributed energy resources and energy efficiency to reduce the need for utility expenditures on distribution, transmission, and other utility infrastructure before interconnecting any new residential, commercial, or industrial development that requires costs of utility infrastructure upgrades in excess of a threshold determined by the Commission.

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, Hawaii State Energy Office, Life of the Land, and Tesla.

Your Committee finds that especially for new developments, it is imperative that electric utilities develop electricity load management plans that integrate and leverage the capabilities of distributed energy resources and energy efficiency to prevent ratepayers from paying for unnecessarily large capital expenditures.

Your Committee has amended this measure by:

- (1) Inserting language that exempts electric vehicle charging infrastructure applications from the provisions of this measure;
- (2) Changing the effective date to July 1, 2100, 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. 1807, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1807, 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). Noes, none. Excused, none.

**SCRep. 15-22 Energy & Environmental Protection on H.B. No. 1800**

The purpose of this measure is to:

- (1) Establish a goal for the statewide greenhouse gas emissions limit to be at least seventy percent below 2005 levels by 2030; and
- (2) Require and appropriate funds for the Hawaii State Energy Office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Climate Change Mitigation and Adaptation Commission, Hawaii State Energy Office, 350Hawaii.org, Blue Planet Foundation, Climate Protectors Hawai'i, Life of the Land, Imua Alliance, Hawaiian Electric Company, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that climate change poses immediate and long-term threats to Hawaii's economy, public health, natural resources, environment, and way of life. While the State achieved its 2020 statewide goals for reducing greenhouse gas emissions, there are no additional decarbonization targets until 2045. Therefore, in order to achieve the goal of a fully decarbonized economy, the State needs to establish near-term decarbonization targets and plan ahead to identify challenges and actions that will need to be taken to achieve its decarbonization goals.

Your Committee has amended this measure by:

- (1) Establishing the statewide greenhouse gas emissions limit of at least seventy percent below 2005 levels by 2030 in section 225P-5, Hawaii Revised Statutes, rather than section 342B-71, Hawaii Revised Statutes;
- (2) Providing more flexibility for the Department of Health in reporting greenhouse gas emissions;
- (3) Adding items and considerations for the Hawaii State Energy Office to include in its analysis and recommendations for achieving the State's economy-wide decarbonization goals;
- (4) Extending the deadline for the Hawaii State Energy Office's report to no later than twenty days prior to the convening of the Regular Session of 2024;
- (5) Changing the effective date to July 1, 2100, 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. 1800, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1800, 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). Noes, none. Excused, none.

**SCRep. 16-22 Energy & Environmental Protection on H.B. No. 1595**

The purpose of this measure is to authorize independent generators of renewable energy to wheel the renewable electricity they produce pursuant to administrative rules established by the Public Utilities Commission.

Your Committee received testimony in support of this measure from Tawhiri Power LLC, Hawaii Clean Power Alliance, Blue Planet Foundation, 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, Hawaiian Electric Company, and Life of the Land.

Your Committee finds that the production of clean electricity may be encouraged if independent generators of clean electricity can engage in retail wheeling, in which electric power is transmitted from one independent generator of renewable energy to users of renewable energy over the existing transmission lines of a third-party electric utility. Through retail wheeling, users of renewable energy, including the State and the counties, could acquire clean electricity by purchasing it from a clean electricity project developer, helping the State achieve its goal of one hundred percent renewable energy by 2045.

Your Committee has amended this measure by:

- (1) Extending the deadline for the Public Utilities Commission to:
  - (A) Establish rules to implement retail wheeling to December 31, 2023; and

- (B) Submit a report to the Legislature on retail wheeling to no later than twenty days prior to the convening of the Regular Session of 2024;
- (2) Inserting language that directs the Public Utilities Commission to evaluate the need to adopt customer protection measures, including disallowing a wheeling project under certain conditions;
- (3) Changing the effective date to July 1, 2100, 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. 1595, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1595, 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. 17-22      Energy & Environmental Protection on H.B. No. 1808**

The purpose of this measure is to:

- (1) Increase the percentage of royalties received by the State from geothermal resources that are to be paid to the county in which the geothermal resources are located;
- (2) Require the royalties paid to a county to be used for further geothermal resources discovery and development; and
- (3) Require the county to submit an annual report to the Legislature on how it used the royalties.

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 Land and Natural Resources and Life of the Land. Your Committee received comments on this measure from the Hawaii State Energy Office and Hawaii Clean Power Alliance.

Your Committee finds that geothermal technology facilitates the generation of power from heat and energy found below the Earth's surface. Currently, thirty percent of the royalties received by the State from geothermal resources are paid to the county in which the mining operations are situated. Increasing the royalties to the counties to further advance geothermal resources discovery and development may play a significant role in achieving one hundred percent renewable energy generation statewide.

Your Committee notes the concerns of the Department of Land and Natural Resources that any reduction in the State's share of geothermal royalties would result in a shortfall of funding for its Mineral Resources Program. Your Committee believes that this issue and the possibility of increasing the funding ceiling of the Department's Special Land and Development Fund merit further discussion by your Committee on Finance.

Your Committee has amended this measure by changing the effective date to July 1, 2100, 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. 1808, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1808, 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. 18-22      Energy & Environmental Protection on H.B. No. 1524**

The purpose of this measure is to amend the definition of "petroleum product", as it applies to unfair trade practices by the petroleum industry, to mean any product derived from the distillation of crude oil.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Hawaii State Energy Office, Life of the Land, and one individual.

Your Committee finds that the existing definition of "petroleum product" excludes certain types of oil-derived products, resulting in these products not being subject to certain fines, consumer protections, and other safeguards. This measure will help to reduce threats to energy security for residents, as well as negotiation imbalances that impose costs on ratepayers.

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. 1524 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. 19-22      Energy & Environmental Protection on H.B. No. 1801**

The purpose of this measure is to:

- (1) Require state facilities, with the exception of smaller facilities, 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 a certain amount of budget appropriations for energy expenditures; and
- (5) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water 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; Life of the Land; Hawai'i Energy; Ulupono Initiative; 350Hawaii.org; Blue Planet Foundation; Chamber of Commerce Hawaii; Climate Protectors Hawai'i; Johnson Controls, Inc.; Elemental Excelsior; and three individuals.

Your Committee finds that energy efficiency is the most cost-effective way to reduce emissions associated with electricity generation and consumption. Although energy used to power buildings accounts for more than fifty percent of the electricity consumed in the State, the State has not undertaken improvements for increased efficiency in many of its own facilities, forgoing millions of dollars in potential savings. Implementation of energy efficiency measures by state agencies allows the State to lead by example when it comes to energy efficiency initiatives and energy efficient design for new construction, which maximize the savings of taxpayer dollars that would otherwise be spent on utility bills.

Your Committee has amended this measure by:

- (1) Increasing the State's goal in its reduction of electricity consumption of state facilities from twenty-five percent to thirty percent; and
- (2) Changing the effective date to July 1, 2100, 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. 1801, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1801, 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 (Tokioka). Noes, none. Excused, none.

#### **SCRep. 20-22      Energy & Environmental Protection on H.B. No. 1806**

The purpose of this measure is to require cesspools in the State to be upgraded or converted to a wastewater system approved by the Department of Health before January 1, 2050.

Your Committee received testimony in support of this measure from the Department of Health, Life of the Land, and one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that Hawaii has nearly eighty-eight thousand cesspools that release more than fifty million gallons of raw sewage into the State's groundwater and surface waters every day. Although the State established a requirement for the upgrade, conversion, or connection of all cesspools in the State by 2050, the language of the mandate should be made clearer to ensure that cesspools are upgraded or converted to a Director of Health-approved wastewater system.

Your Committee has amended this measure by clarifying that the upgraded or converted wastewater system be approved by the Director of Health.

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. 1806, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1806, 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. 21-22      Transportation on H.B. No. 1414**

The purpose of this measure is to make a person who is the registered owner of a vehicle that was deemed abandoned or derelict subject to a tiered fine system.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors; Mayor of the County of Hawai'i; one member of the Maui County Council; one member of the Hawai'i County Council; one member of the Kaua'i County Council; County of Maui Department of Environmental Management; City and County of Honolulu, Department of Customer Services, Motor Vehicles, Licensing and Permitting Division; Nanawale Community Association Board of Directors; and nine individuals.

Your Committee finds that abandoned vehicles present a widespread environmental hazard and are a public eyesore that create unsafe and unhealthy conditions for Hawaii's residents. This issue stems from the ease of abandoning vehicles, leading to individuals having multiple abandoned vehicles registered under their name. This measure deters and curtails individuals from abandoning their vehicles by expanding penalties for those who have multiple abandoned vehicles.

Your Committee has amended this measure by:

- (1) Changing the tiered fine system for a person who is a registered owner of a vehicle that was deemed abandoned or derelict to apply to third, fourth, and fifth violations, rather than first, second, and third violations;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1414, 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 (Takumi).

#### **SCRep. 22-22      Transportation on H.B. No. 1412**

The purpose of this measure is to require the counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors; Mayor of the County of Hawai'i; one member of the Maui County Council; one member of the Kaua'i County Council; one member of the Hawai'i County Council; County of Maui Department of Environmental Management; City and County of Honolulu, Department of Customer Services, Motor Vehicles, Licensing and Permitting Division; LavaRock Farm; and eleven individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that abandoned vehicles continue to overrun neighborhoods across the State and the prevalence of abandoned vehicles on public streets has created widespread environmental and safety issues. Existing law is silent regarding the distance a vehicle must be moved in order to no longer be classified as abandoned. This creates ambiguity in the disposition of an abandoned vehicle if a vehicle that was once deemed abandoned can no longer be classified as abandoned if it merely moves an inch or two from the location where it was first deemed abandoned. Therefore, taking steps to provide objectivity

and clarity in the law as to how much a vehicle must be moved and when it must be moved in order to no longer be classified as abandoned would improve enforcement of this 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1412, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1412, 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, 1 (Takumi).

#### **SCRep. 23-22      Transportation on H.B. No. 1413**

The purpose of this measure is to:

- (1) Authorize a county director of finance to require payment of outstanding charges and fines relating to the disposition of an abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and
- (2) Require a county director of finance to notify the appropriate county examiner of drivers of the individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors; Mayor of the County of Hawai'i; one member of the Maui County Council; one member of the Kaua'i County Council; one member of the Hawai'i County Council; County of Kaua'i Department of Finance; County of Maui Department of Environmental Management; City and County of Honolulu, Department of Customer Services, Motor Vehicles, Licensing and Permitting Division; Nanawale Community Association Board of Directors; and eleven individuals.

Your Committee finds that there has been a rise in abandoned vehicles within the State, necessitating a large amount of funding for the counties to dispose of the abandoned vehicles. While charges and fines are levied against individuals who abandon their vehicles to offset the costs, there is no existing mechanism that requires the individuals to pay the charges within a reasonable timeframe, resulting in numerous outstanding cases within the State. This measure ensures that individuals against whom charges and fines are levied pay in a more timely manner.

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 H.B. No. 1413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1413, 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, 1 (Takumi).

#### **SCRep. 24-22      Transportation on H.B. No. 1632**

The purpose of this measure is to:

- (1) Set weight limitations for tour operators and rental vehicles;
- (2) Establish user fees for certain vehicles to access Hana Highway and Haleakala Highway; and
- (3) Amend the Highway Development Special Fund to allow the deposit of funds received from the user fees into the special fund and authorize the funds to be used for the development and improvement of Hana Highway and Haleakala Highway.

Your Committee received testimony in support of this measure from four members of the Maui County Council and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that Hana Highway and Haleakala Highway are heavily used by Maui residents and visitors, providing access to highly trafficked areas of Maui. To ensure the safety of residents and visitors, it is critical to establish certain vehicle weight restrictions and user fees for the development and improvement of the highways. Your Committee further finds that the concerns of the Department of Transportation about the proposed user fees in this measure warrant further guidance from the Federal Highway Administration.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "electric scooter";
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1632, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1632, 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, 1 (Takumi).

#### **SCRep. 25-22      Water & Land on H.B. No. 2016**

The purpose of this measure is to require the Department of Land and Natural Resources to prepare a master plan for the Sand Island State Recreation Area.

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 the Sand Island State Recreation Area, located in the core of Honolulu and adjacent to a densely populated residential area, requires infrastructural and other upgrades due to deterioration from age, heavy use and misuse, and saltwater exposure. Your Committee further finds that the Sand Island State Recreation Area has the potential to be developed into an urban flagship "people's park" but requires planning that includes considerations such as community input, changing environmental conditions, opportunities for preserving and highlighting historic features, and opportunities to expand outdoor recreation.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2016, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2016, 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. 26-22 Water & Land on H.B. No. 2288**

The purpose of this measure is to transfer the real property located at 560 Makapuu Avenue, Honolulu, Hawaii 96816, to the Department of Hawaiian Home Lands.

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 University of Hawai'i System.

Your Committee finds that the transfer of this parcel of real property to the Department of Hawaiian Home Lands will help the Department to increase homesteading opportunities for its beneficiaries on Oahu.

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

Your Committee requests that the University of Hawaii, which identified itself as the fee-simple owner of the subject property, keep your Committee and subsequent committees deliberating this measure apprised of its plans for the subject property.

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. 2288, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2288, 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. 27-22 Water & Land on H.B. No. 1670**

The purpose of this measure is to establish a Boundary Review Committee within the Land Use Commission to promptly and efficiently resolve boundary disputes brought before the Commission.

Your Committee received testimony in support of this measure from the Land Use Commission.

Your Committee finds that boundary disputes brought before the entire Land Use Commission are burdensome for the Commission and parties involved. This measure will streamline disputes over boundary interpretations and promote efficiency in government.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1670, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1670, 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 (Kong, McDermott).

**SCRep. 28-22 Education on H.B. No. 1560**

The purpose of this measure is to amend the minimum qualification for Board of Education members to diversify the experience of Board members and clarify that the Board's best practices should be aligned with those of organizations such as the National Association of State Boards of Education.

Your Committee received testimony in support of this measure from HawaiiKidsCAN and three individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the Board of Education serves the important role of formulating the educational policy for Hawaii's education system. As schools expand their career readiness programs and partnerships with employers to meet the needs of the local and global workforce and community, the Board will need to have a sophisticated understanding of policy related to a wide range of subjects and disciplines. Your Committee believes that having members with diverse backgrounds, expertise, and perspectives on the Board of Education will be of great benefit to Hawaii's education system and will better prepare students for their future.

Your Committee has amended this measure by:

- (1) Clarifying that nominees shall have relevant experience so that collectively, the Board of Education shall have knowledge, experience, and proven expertise in education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate finance, or organization management;
- (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. 1560, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1560, 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. 29-22 Education on H.B. No. 1697**

The purpose of this measure to:

- (1) Require the Department of Education to provide comprehensive training for teachers and educational officers on certain sexual health topics to destigmatize and promote sexual health; and
- (2) Require sexual health education programs to include similar sexual health topics to destigmatize and promote sexual health.

Your Committee received testimony in support of this measure from the Department of Health; Hawaii State Council on Developmental Disabilities; Stonewall Caucus of the Democratic Party of Hawaii; Hawaii Youth Services Network; American Academy of Pediatrics, Hawaii Chapter; Planned Parenthood Alliance Advocates; Pono Hawai'i Initiative; Pacific Survivor Center; Hawaii Children's Action Network Speaks; Assets High School Gay Straight Alliance; Ilima Intermediate School Gay Straight Alliance; and numerous individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from the Hawaii Federation of Republican Women and numerous individuals. Your Committee received comments on this measure from the National Association of School Psychologists.

Your Committee finds that existing sexual education standards within secondary schools in Hawaii are not providing students with the necessary knowledge and tools to make responsible, informed, and empowered choices about their sexuality, gender, relationships, and sexual and reproductive health. The current emphasis on abstinence and problem-focused language offered in Hawaii schools can add to the ongoing stigmatization of sexual health topics. Your Committee further finds that a broader, more comprehensive sex education program that covers forms of sexual expression, healthy sexual and non-sexual relationships, diverse identities across gender and culture, sexual orientation, and consent should be provided to secondary school students to ensure students feel safe and empowered to learn, ask questions, and make positive choices for themselves.

Your Committee has amended this measure by:

- (1) Including disability communities in the topics of sexual health that teachers and educational officers shall have comprehensive training on and to be included in sexual health programs;
- (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. 1697, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1697, 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 (Gates). Noes, 2 (Quinlan, Okimoto). Excused, none.

**SCRep. 30-22 Education on H.B. No. 1799**

The purpose of this measure is to require the Department of Education to:

- (1) Offer optional asthma education courses to students; and
- (2) Develop and provide required asthma training to teachers and other department employees who interact with students.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association; American Academy of Pediatrics, Hawaii Chapter; Hawaii Medical Association; American Lung Association in Hawaii; Hawaii Children's Action Network Speaks!; AlohaCare; and four individuals. Your Committee received testimony in support of the intent of this measure from the Department of Health and Hawaii Association of School Psychologists. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that, according to the Department of Health, more than one hundred ten thousand Hawaii residents are living with asthma and approximately one-third of those are children. Although the asthma mortality rate has declined over the past ten years, there was an average of twenty-two deaths per year from asthma in Hawaii between 2013 and 2015.

Your Committee further finds that published research funded by the Centers for Disease Control and Prevention for the Journal of School Health has shown that students who engage in school-based asthma education experienced significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after participation in the intervention. This measure seeks to also introduce asthma education courses to Hawaii's students and to provide training to teachers and other Department of Education employees to ensure students with asthma are able to thrive in all environments.

Your Committee has amended this measure by:

- (1) Clarifying that optional asthma self-management instruction to students with asthma is to be offered by the Department of Education, rather than offering courses to students;
- (2) Authorizing, rather than requiring, the Department of Education to offer the optional asthma self-management instruction to students with asthma;
- (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. 1799, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1799, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

**SCRep. 31-22 Education on H.B. No. 1775**

The purpose of this measure is to:

- (1) Define the scope and application of chapter 368D, Hawaii Revised Statutes, which prohibits discrimination on the basis of sex or sexual orientation, in state educational programs and activities, and set forth requirements with which covered entities must comply; and
- (2) Require annual reports to the Legislature on the number and types of Title IX cases received by the Department of Education, public charter schools, and the University of Hawaii, and other relevant information.



Your Committee received testimony in support of this measure from the State Public Charter School Commission, Hawaii Civil Rights Commission, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawaii, American Association of University Women of Hawaii, Hawaii Women's Coalition, Hawaii State Democratic Women's Caucus, Americans for Democratic Action, Planned Parenthood Alliance Advocates, Hawaii Children's Action Network Speaks!, and fourteen individuals. Your Committee received testimony in support of the intent of this measure from the University of Hawaii. Your Committee received comments on this measure from the Department of Education, Department of the Attorney General, and National Association of School Psychologists.

Your Committee finds that 2022 is the fiftieth anniversary of the Patsy T. Mink Equal Opportunity in Education Act, otherwise known as Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or simply "Title IX", which has given millions of girls and women educational opportunities that were undreamed of before the enactment of Title IX. However, recent federal administrative rules adopted in 2020 significantly diminished the rights and protections for students and employees under Title IX.

Your Committee further finds that Act 110, Session Laws of Hawaii 2018, created a state corollary to Title IX by prohibiting discrimination on the basis of sex, including gender identity or expression, or sexual orientation, in any state educational program or activity, or in any educational program or activity that receives state financial assistance. This measure further defines the scope and application of the state corollary to Title IX and sets forth requirements that public education institutions in the State must comply with to ensure that the needs of victims of unlawful sex-based discrimination, including sexual harassment, gender-based harassment, and sexual assault, are properly addressed.

Your Committee has amended this measure by:

- (1) Specifying that ensuring the prohibition of discrimination on the basis of sex, including gender identity or expression, or sexual orientation, is a matter of statewide concern;
- (2) Appropriating an unspecified amount of funds to the State Public Charter School Commission for the hiring of one full-time equivalent position to ensure compliance by public charter schools with Title IX of the federal Education Amendments of 1972, as amended;
- (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. 1775, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1775, 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. 32-22      Agriculture on H.B. No. 1705**

The purpose of this measure is to allow the Department of Agriculture to extend the lease of any agricultural park lessee who holds a lease with a remaining term of fifteen years or less; provided that the land covered by the lease is twenty-five acres or less and located in a county with a population of less than five hundred thousand.

Your Committee received testimony in support of this measure from Bromeliads Hawaii, LLC; Ono Nut Farms, Inc.; Pacific Floral Exchange, Inc.; Hawaii Floriculture and Nursery Association; Hawai'i Farm Bureau; and five individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture. Your Committee received comments on this measure from the Hawaii Cattlemen's Council and Land Use Research Foundation of Hawaii.

Your Committee finds that as agricultural park lessees near the end of their lease term, it becomes difficult or unfeasible to invest capital into or make major infrastructural improvements to the agricultural operations or farm, as the lessees are uncertain whether they will be able to extend their lease and continue their operations on that agricultural park land. This measure seeks to remedy that situation and allow the Department of Agriculture to extend leases to continue these agricultural activities.

However, your Committee recognizes that determining the remainder of a lease term in which a lessee can qualify for a lease extension, as well as arriving at the term duration of an extended lease, merit further discussion. In this regard, your Committee respectfully requests that your Committee on Consumer Protection & Commerce consider this matter in its discussion should it decide to hear this measure.

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. 1705 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, 1 (Marten). Excused, none.

#### **SCRep. 33-22      Agriculture on H.B. No. 1717**

The purpose of this measure is to appropriate funds to the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to:

- (1) Establish the foreign agriculture small equipment pilot program, in collaboration with a University of Hawaii community college, to identify and purchase foreign agricultural technology and equipment; and
- (2) Submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii, Hawai'i Farm Bureau, Hawaii Floriculture and Nursery Association, Ulupono Initiative, Hawaii Cattlemen's Council, Hawaii Coffee Association, and four individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, University of Hawaii at Manoa College of Tropical Agriculture and Human Resources, and one individual.

Your Committee recognizes the importance of new technologies to enable Hawaii's farmers and ranchers to strengthen crop development and production. Establishment of a foreign agriculture small equipment pilot program will enable greater efficiencies in farming practices, especially for small-scale farming in Hawaii and further the viability of agriculture and food self-sufficiency 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. 1717 and recommends that it pass Second Reading 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. 34-22 Economic Development on H.B. No. 2002**

The purpose of this measure is to reinstate the renewable fuels production tax credit.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Clean Power Alliance, Hawai'i Gas, and Pacific Biodiesel Technologies. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Pet Food Institute, and Tax Foundation of Hawaii.

Your Committee finds that renewable fuels provide lower-cost alternative fuels for residential, commercial, and industrial customers. Your Committee further finds that to support the use of renewable fuels, Act 202, Session Laws of Hawaii 2016, was enacted to establish a renewable fuels production tax credit; however, this tax credit has since been repealed. Your Committee believes that the importance of producing renewable fuel merits reinstating the renewable fuels production tax credit.

Your Committee has amended this measure by:

- (1) Specifying that each taxpayer, including all of its related entities and business entities under common control, shall not be eligible for more than a single five-year credit period;
- (2) Including wastewater as a renewable feedstock;
- (3) Inserting a sunset date of December 31, 2031; 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. 2002, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2002, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 1 (D. Kobayashi). Excused, 1 (Belatti).

**SCRep. 35-22 Higher Education & Technology on H.B. No. 1531**

The purpose of this measure is to establish a collective bargaining unit for graduate assistants employed by the University of Hawaii.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Democratic Party of Hawaii Education Caucus; Hawaii Workers Center; UNITE HERE Local 5; Democratic Party of Hawaii Labor Caucus; Academic Labor United; United Electrical, Machine, and Radio Workers Union; Editorial Board of Hawaii Review; and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that graduate student assistants encounter a myriad of work-related issues which would be most fairly resolved through the collective bargaining process. Your Committee further finds that the right to collectively bargain would give graduate student assistants employed by the University of Hawaii the power to negotiate grievance procedures, including access to arbitration; negotiate their salary, wages, and benefits; and protect themselves against arbitrary and capricious employment behavior.

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. 1531 and recommends that it pass Second Reading and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Okimoto). Excused, 1 (Woodson).

**SCRep. 36-22 Higher Education & Technology on H.B. No. 2187**

The purpose of this measure is to:

- (1) Provide for the expiration of two terms of members of the University of Hawaii Board of Regents each year, instead of three terms; and
- (2) Require the Governor to adjust the terms of members appointed to the Board of Regents until the number of terms set to expire each year is two, not including the student member.

Your Committee received testimony in support of this measure from the University of Hawaii Board of Regents.

Your Committee finds that Act 172, Session Laws of Hawaii 2019, reduced the number of members of the Board of Regents of the University of Hawaii from fifteen to eleven. As such, the number of members whose terms will expire in the coming years is not evenly distributed and may result in sudden losses of institutional knowledge and experience. Your Committee further finds that realignment of the terms of members of the Board of Regents appointed by the Governor is necessary until an equitable number of terms expire each year.

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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2187, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2187, 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 (Woodson).

**SCRep. 37-22 Higher Education & Technology on H.B. No. 1885**

The purpose of this measure to establish within the Office of Enterprise Technology Services a Chief Data Officer and a Data Task Force to develop, implement, and manage statewide data policies, procedures, and standards.

Your Committee received testimony in support of this measure from the Office of Information Practices, Office of Enterprise Technology Services, Hawaii Health Information Exchange, Transform Hawaii Government, Civil Beat Law Center for the Public Interest, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the efficient integration, management, governance, and sharing of data can greatly improve state programs and the delivery of services to the State's citizens. This measure establishes the Chief Data Officer to develop, implement, and manage statewide data policies, procedures, and standards for the entire State.

Your Committee notes that the estimated cost for the establishment of the Chief Data Officer is \$130,000 for the first fiscal year and \$260,000 for subsequent years.

Your Committee has amended this measure by:

- (1) Clarifying the role of the Chief Data Officer to improve departmental decision making;
- (2) Removing the legislative members of the task force;
- (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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1885, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1885, 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 (Woodson).

#### **SCRep. 38-22 Economic Development on H.B. No. 1782**

The purpose of this measure is to allow an electric utility to own, operate, lease, plan, construct, install, maintain, or replace broadband facilities, including middle mile infrastructure, to help facilitate the development of and investment in broadband facilities and services in the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Kaua'i Island Utility Cooperative; Hawaiian Electric Company; and Ocean Networks, Inc. Your Committee received testimony in opposition to this measure from Charter Communications. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, Common Cause Hawaii, 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, the lack of accessibility to reliable high-speed broadband has had a negative effect in many areas, but particularly to rural, unserved, and underserved communities. Allowing an electric utility to own, operate, lease, plan, construct, install, maintain, or replace broadband facilities will help facilitate the development of and investment in broadband facilities and services across the State.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "person"; and
- (2) Making technical, 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. 1782, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1782, 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, 2 (D. Kobayashi, Okimoto). Excused, 1 (Belatti).

#### **SCRep. 39-22 Health, Human Services, & Homelessness on H.B. No. 1675**

The purpose of this measure is to:

- (1) Permit minors to consent to medical care and services related to the diagnosis, treatment, or prevention of the human immunodeficiency virus;
- (2) Specify that a minor, under certain circumstances, shall not be liable for payment associated with the diagnosis, treatment, or prevention of human immunodeficiency virus; and
- (3) Authorize physician assistants, in addition to physicians and advanced practice registered nurses, to render such medical care and services to minors.

Your Committee received testimony in support of this measure from the Department of Health; Kaiser Permanente; Hawaii Youth Services Network; Kumukahi Health + Wellness; Rainbow Family 808; Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Health & Harm Reduction Center; Hawai'i Academy of Physician Assistants; Hale Kipa, Inc.; Planned Parenthood Alliance Advocates; and nine individuals. Your Committee received comments on this measure from the Hawai'i State Center for Nursing.

Your Committee finds that this measure supports critical treatment of minors diagnosed with human immunodeficiency virus (HIV) and could help prevent HIV acquisition in minors. Existing statutes do not appear to permit minors to consent to medical care related to the prevention of HIV, including the use of highly effective medication that was approved for minors in 2018. Permitting minors who cannot or will not seek the consent of their parents or guardians to consent to HIV medical care is essential to the health of minors and valuable in ending the HIV epidemic in Hawaii.

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. 1675, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1675, 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, none.

#### **SCRep. 40-22 Health, Human Services, & Homelessness on H.B. No. 1579**

The purpose of this measure is to:

- (1) Extend the date by which the transfer of the Oahu Regional Health Care System facilities from the Hawaii Health Systems Corporation to the Department of Health is to be completed from December 31, 2022, to December 31, 2023;
- (2) Set the proper manner by which the Oahu Regional Health Care System should seek operational funding during the transition process;
- (3) Grant the transition working group certain exemptions to enable it to expeditiously carry out its responsibilities; and
- (4) Appropriate funds to formulate and execute a comprehensive business and transition plan.

Your Committee received testimony in support of this measure from the University of Hawai'i System and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, Office of Information Practices, Oahu Region Hawaii Health Systems Corporation, and Hawaii Health Systems Corporation.

Your Committee finds that Act 212, Session Laws of Hawaii 2021, requires the transfer of the Oahu Region Health Care System facilities from the Hawaii Health Systems Corporation to the Department of Health to be completed by December 31, 2022. Your Committee further finds that due to the complex nature of the transfer and the diversion of the Department of Health's focus to other pressing issues, additional time is needed to complete this transfer.

Your Committee has amended this measure by:

- (1) Requiring the transition working group to submit an additional report to the Legislature no later than twenty days prior to the Regular Session of 2023;
- (2) Clarifying that the reason for the exemption from chapter 92, Hawaii Revised Statutes, granted to the working group is to protect patient privacy and the confidentiality of prospective bidders;
- (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. 1579, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1579, 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, none.

#### **SCRep. 41-22      Agriculture on H.B. No. 1711**

The purpose of this measure is to appropriate funds to the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to establish three full-time equivalent (3.0 FTE) positions at the Kauai Research and Extension Station, including one livestock extension agent.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Hawaii Floriculture and Nursery Association, Ulupono Initiative, Hawaii Cattlemen's Council, and seven individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and University of Hawaii at Manoa College of Tropical Agriculture and Human Resources.

Your Committee finds that the College of Tropical Agriculture and Human Resources Kauai Research and Extension Station has been central in helping to develop and improve agricultural technologies for Hawaii's farmers, such as providing intensive cover crop research, promoting the importance of locally-grown produce, and developing biological and cultural methods for controlling pests without chemicals. Increasing the number of personnel for the Kauai Research and Extension Station will assist farmers and ranchers on the island of Kauai.

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. 1711 and recommends that it pass Second Reading 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. 42-22      Water & Land on H.B. No. 1655**

The purpose of this measure is to expand the types of activities excluded from the definition of "development" as it applies to special management areas to reduce the need for special management area permits for these activities.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu, Department of Planning of the County of Maui, Planning Department of the County of Hawaii, and Department of Public Works of the County of Maui. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that the existing law governing special management areas does not exempt actions that are typically conducted by government agencies and conservation organizations for public benefit projects, such as constructing a sidewalk, adding a bike lane, or controlling invasive vegetation. This measure would streamline government and private-sector activities that benefit the people of Hawaii.

Your Committee has amended this measure by:

- (1) Further modifying the types of activities excluded from the definition of "development" as it applies to special management areas;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1655, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1655, 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 (Kong, McDermott).

#### **SCRep. 43-22      Water & Land on H.B. No. 1712**

The purpose of this measure is to protect agricultural lands in Hawaii for agricultural use by prohibiting the siting of waste disposal facilities on important agricultural lands and agricultural lands with class A productivity ratings.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Ulupono Initiative, Hawaii Crop Improvement Association, and one individual. Your Committee received comments on this measure from the Department of Environmental Services of the City and County of Honolulu.

Your Committee finds that siting landfills on agricultural lands presents safety and compliance problems for farmers and the public. Situating a landfill on or near farmland jeopardizes crop safety because it may cause contamination through dust, soil runoff, or poor water quality. Agriculture plays an important part in Hawaii's economy and sustainability strategy. Your Committee firmly believes that the primary use of lands within the agricultural district, especially lands with the most productive soils, should be reserved primarily for actual agricultural purposes.

Your Committee has amended this measure by:

- (1) Also prohibiting the siting of waste disposal facilities on agricultural lands with class B soil;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1712, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1712, 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 (Kong, McDermott).

#### **SCRep. 44-22 Finance on H.B. No. 2500**

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.

Your Committee received testimony in support of this measure from the Office of the Auditor, Office of the Ombudsman, Hawaii State Ethics Commission, House Chief Clerk's Office, and 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 Legislative Reference Bureau.

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, 2023, including session and nonsession expenses. 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 2022-2023.

Your Committee has amended this measure by changing the appropriation amount to the Legislative Reference Bureau to more accurately reflect the needs of the 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. 2500, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2500, 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, 3 (Nishimoto, Perruso, McDermott).

#### **SCRep. 45-22 Housing on H.B. No. 1751**

The purpose of this measure is to increase housing opportunities by allowing the counties to determine by ordinance the appropriateness of allowing dwellings on each quarter-acre, rather than each half-acre, of lands in rural districts; provided the ordinances are consistent with the county general plan and community development plans.

Your Committee received testimony in support of this measure from the Hawaii Association of REALTORS and one individual. Your Committee received comments on this measure from the Department of Agriculture and Office of Planning and Sustainable Development.

Your Committee finds that under state law, counties may, by ordinance, allow dwellings on each one-half acre in rural districts. Given the shortage of housing in Hawaii, counties should be permitted to determine whether to allow one dwelling per one-quarter acre; provided that the dwelling is consistent with the county general plan and community development plan.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1751, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1751, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Kitagawa, LoPresti, Takumi, McDermott).

#### **SCRep. 46-22 Housing on H.B. No. 1477**

The purpose of this measure is to provide potential home buyers of one- and two-family dwellings with information on the benefits of a residential fire sprinkler system and a written cost estimate for the materials, labor, and any applicable permit fees for the fire sprinkler system.

Your Committee received comments on this measure from the State Fire Council, Chamber of Commerce Hawaii, and Building Industry Association of Hawaii.

Your Committee finds that eight out of ten deaths occur in a residential home; however, residential fire sprinklers are found in only seven percent of all homes damaged by a fire. Your Committee further finds that residential fire sprinklers reduce the heat, flames, and smoke produced in a fire and can reduce the risk of death in residences.

Your Committee has amended this measure by:

- (1) Deleting the definitions of "builder" and "buyer" and adding a definition for "owner";
- (2) Deleting the requirement that building or fire officials provide a written cost estimate for a residential fire sprinkler system to the applicant or applicant's representative, who shall provide it to the owners;

- (3) Deleting the requirement for the State Fire Council to develop a standard form for buyers' acceptance or rejection of a residential fire sprinkler system;
- (4) Requiring the State Fire Council to update its written materials detailing the benefits of a residential fire sprinkler system as needed;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1477, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1477, 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, none. Excused, 4 (Kitagawa, LoPresti, Takumi, McDermott).

#### **SCRep. 47-22      Housing on H.B. No. 1752**

The purpose of this measure is to:

- (1) Prohibit negative advertising relating to source of income for available rental or lease dwelling units;
- (2) Provide potential tenants with remedies against a landlord for a violation of the negative advertising source of income prohibition;
- (3) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords to participate in the Tenant-based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937, and appropriate funds for incentives under the program;
- (4) Require Hawaii Public Housing Authority to adopt rules that require inspection of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (5) Establish Hawaii Public Housing Authority positions and appropriate funds for inspections and other aspects related to dwelling units that are the subject of applications for the Section 8 Housing Choice Voucher Program.

Your Committee received testimony in support of this measure from Hawaii Public Housing Authority and Hawaii Health & Harm Reduction Center. Your Committee received testimony in opposition to this measure from the Hawaii Association of REALTORS and Hawaii Appleseed Center for Law & Economic Justice. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, Hawaii Civil Rights Commission, State Council on Developmental Disabilities, Catholic Charities Hawaii, Partners In Care, HOPE Services Hawaii, and three individuals.

Your Committee recognizes that low-income individuals experience great difficulty in finding affordable rentals, particularly in Hawaii's tight housing market. This measure seeks to address the challenges faced by individuals who participate in the Section 8 Housing Choice Voucher Program in obtaining rental housing and individuals based on source of income.

Based on the testimony on this measure, your Committee notes that this measure addresses only the negative advertising aspect of rental discrimination based on source of income or participation in a housing assistance program. Your Committee also notes that focusing primarily on the negative advertising aspects of rental housing discrimination may have unintended adverse impacts and place greater hardship on individuals seeking rental housing. Your Committee finds that while negative advertising would be prohibited under this measure, prospective tenants would still be unable to secure housing due to discriminatory practices.

Accordingly, your Committee has amended this measure by:

- (1) Deleting provisions prohibiting negative advertising relating to source of income for available rental or lease dwelling units;
- (2) Deleting provisions that provide remedies to potential tenants against landlords for violating the negative advertising source of income prohibition;
- (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. 1752, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1752, 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, none. Excused, 4 (Kitagawa, LoPresti, Takumi, McDermott).

#### **SCRep. 48-22      Housing on H.B. No. 1917**

The purpose of this measure is to indefinitely extend the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing, or issue a new, ground lease for the Front Street Apartments affordable housing project in Lahaina, Maui, before the requirement to initiate condemnation proceedings is triggered.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Chair of the Maui County Council.

Your Committee finds that there is a severe shortage of affordable rental housing in the County of Maui, particularly in the western part of the island. To address this shortage, the Legislature passed acts in 2018 and 2019 to support the Front Street Apartments in Lahaina, Maui, and preserve their affordability. The Hawaii Housing Finance and Development Corporation (HHFDC) has since acquired the leased fee interest in the Front Street Apartments and was required by the Legislature to initiate condemnation proceedings unless it renegotiated the ground lease for the Front Street Apartments project or issued a new ground lease on terms acceptable to HHFDC by December 31, 2021. However, due to a federal lawsuit, it was virtually impossible to obtain an accurate appraisal of the value of the ground lease for purposes of condemnation or negotiating a ground lease agreement. Therefore, the retroactive extension of the December 31, 2021, deadline is necessary.

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. 1917 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, 5. Noes, none. Excused, 4 (Kitagawa, LoPresti, Takumi, McDermott).

**SCRep. 49-22 Housing on H.B. No. 2139**

The purpose of this measure is to help remove barriers in securing affordable housing by:

- (1) Regulating how application screening fees are charged when processing applications to rent residential property; and
- (2) Requiring landlords or landlord agents to provide tenants a receipt for payment and refund any unused amount of an application screening fee to applicants.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Commerce and Consumer Affairs, Department of Human Services, Hawaii State Council on Developmental Disabilities, Hawai'i Health & Harm Reduction Center, HOPE Services Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS. Your Committee received comments on this measure from EAH Housing and Catholic Charities Hawai'i.

Your Committee finds that there are numerous barriers to accessing affordable housing for low-income households and people experiencing homelessness. Your Committee recognizes that there are costs associated with screening prospective tenants, including application screening fees for personal reference checks and credit reports; however, the costs of application screening fees vary and can exceed the actual cost of screening. Furthermore, the costs of multiple application screening fees for prospective tenants can result in significant economic hardship, especially in a tight housing market. Addressing the assessment of application screening fees is one way to address impediments to securing affordable rental housing in the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have capped the amount that could be charged for an application screening fee and limited the number of fees that could be charged per application and for each member of a household;
- (2) Deleting the requirement that, upon written request by the applicant, the landlord or the landlord's agent must provide the applicant with a copy of any report obtained by the landlord or the landlord's agent;
- (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. 2139, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2139, 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, none. Excused, 4 (Kitagawa, LoPresti, Takumi, McDermott).

**SCRep. 50-22 Housing/Water & Land on H.B. No. 1836**

The purpose of this measure is to expedite the development of affordable housing by:

- (1) Establishing expedited county approvals by the appropriate county land use decision-making authority for district boundary amendments for affordable housing projects on land areas of fifteen acres or less; and
- (2) Requiring consultation with the Hawaii Community Development Authority for affordable housing projects developed in designated community development districts.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawaii Community Development Authority, Building Industry Association of Hawaii, and two individuals. Your Committees received testimony in opposition to this measure from a member of the Maui County Council and from the City and County of Honolulu Department of Planning and Permitting.

Your Committees find that existing law establishes a forty-five day entitlement approval process for affordable housing projects seeking district boundary amendments from the State Land Use Commission or county approvals and exemptions relating to planning, zoning, subdivision construction standards, land development and improvement, or construction of dwelling units. However, the existing law does not address boundary amendment applications for certain parcels of land of fifteen acres or less that are submitted to county agencies rather than to the State Land Use Commission. This measure seeks to expedite the approval process for district boundary amendments for affordable housing by the counties to address the urgent affordable housing needs felt throughout the State.

Your Committees have amended this measure by:

- (1) Allowing district boundary changes involving land areas of fifteen acres or less to be approved, approved with modification, or disapproved by resolution by the legislative body of the county in which the housing project is to be situated, rather than by the appropriate county land use decision making authority of the county in which the project is located;
- (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 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. 1836, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1836, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, none. Excused, 3 (LoPresti, Takumi, McDermott).

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

**SCRep. 51-22 Housing/Water & Land on H.B. No. 1837**

The purpose of this measure is to encourage the counties to adopt zoning and regulatory policies that allow for greater housing opportunities for residents at all income levels by requiring each county to submit annual reports to the Legislature on its efforts to reduce or remove certain regulatory barriers to housing.

Your Committees received testimony in support of this measure from the Ohana Program Foundation, Hawai'i Association of REALTORS, and one individual. Your Committees received comments on this measure from the Maui Chamber of Commerce.

Your Committees find that the complexity and length of housing development requires continual review of the policies and laws that affect housing development, particularly in areas that stymie the construction of affordable homes in the State. In its deliberations, your Committees recognized the need to

also involve the Hawaii Housing Finance and Development Corporation and the Hawaii Public Housing Authority, entities that are critical to addressing affordable housing in communities, to provide their input and review their efforts to reduce or remove certain regulatory barriers to housing and efforts to streamline affordable housing development.

Your Committees have amended this measure by:

- (1) Requiring that the county reports:
  - (A) Include the county's recommendations for amendments to the Hawaii Revised Statutes, Hawaii Administrative Rules, and Hawaii State Constitution to support the county's efforts in producing additional affordable housing; and
  - (B) Reflect the counties' utilization of financing programs to more efficiently deliver affordable housing;
- (2) Requiring the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to:
  - (A) Review the county reports submitted to the Legislature and make recommendations to the Legislature and their respective boards on streamlining affordable housing development; and
  - (B) Incorporate the information in their respective housing studies;
- (3) Requiring the counties to submit their reports to the Legislature in the first year of each fiscal biennium and the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to submit their reports to the Legislature in the second year of each fiscal biennium;
- (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 Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1837, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1837, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, none. Excused, 3 (LoPresti, Takumi, McDermott).

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 52-22 Consumer Protection & Commerce on H.B. No. 2482**

The purpose of this measure is to:

- (1) Beginning January 1, 2024, require public schools and public charter schools to have at least one employee trained to administer or assist with the self-administration of seizure rescue medication or electrical stimulation using a vagus nerve stimulator magnet, except under certain circumstances;
- (2) Require all principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials;
- (3) Require the Department of Education to establish a seizure action plan for every student diagnosed with a seizure disorder and distribute the plan to employees charged with supervising or caring for the student; and
- (4) Appropriate funds to the Department of Education for training of employees to administer or assist with the self-administration of seizure rescue medication at public schools and public charter schools.

Your Committee received testimony in support of this measure from the Hawaii Association of School Psychologists, Epilepsy Foundation of Hawaii, Epilepsy Foundation of America, Hawaii Primary Care Association, and sixteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Education, Department of Health, and Hawaii Disability Rights Center.

Your Committee finds that one study from the Centers for Disease Control and Prevention showed that students aged six to seventeen years living with epilepsy were more likely to miss eleven or more days of school, compared to students with other health concerns. Proper seizure first aid and continuity of care while students are in school is an important factor to ensure students reach their full potential with as minimal disruption to their learning environment as possible.

Your Committee further finds that the seizure action plan required by this measure would provide school personnel with important considerations, precautions, and contact information to help ensure aid is timely, tailored to the student's needs, and properly administered.

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.

Should your Committee on Education hear this measure, your Committee respectfully requests that it consider whether the requirements of this measure are already accomplished by existing Department of Education policies and whether the requirements proposed by this measure should begin at the start of a school year rather than a calendar year and what impact a proposed start date would have on the Department's multi-track schools.

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. 2482, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2482, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Onishi).

#### **SCRep. 53-22 Consumer Protection & Commerce on H.B. No. 1691**

The purpose of this measure is to:

- (1) Lower the minimum age required for an intrastate commercial driver's license to eighteen years;
- (2) Eliminate the requirements that certain persons be solely licensed to operate category 3 vehicles and that persons have certain certifications in order to be licensed as intrastate commercial drivers or obtain a learner's permit; and
- (3) Require the Department of Transportation to adopt or amend its administrative rules to lower the minimum age required for a commercial driver's license to eighteen years.



Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Food Industry Association, and Hawaii Transportation Association.

Your Committee finds that the Federal Motor Carrier Safety Administration has established a program to train people who are eighteen years of age who are already licensed to drive commercial motor vehicles in intrastate commerce, to also drive in interstate commerce. However, Hawaii's current laws preclude drivers from accessing that sort of program, as we are the only state that does not allow people who are eighteen years of age to operate category 4 vehicles and commercial motor vehicles in intrastate commerce.

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. 1691, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1691, 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 (Onishi).

#### **SCRep. 54-22 Consumer Protection & Commerce on H.B. No. 2109**

The purpose of this measure is to align the regulatory structure for the practices of barbering and cosmetology by consolidating the existing statutory framework under a new chapter and to:

- (1) Update definitions and other provisions to accommodate the needs of the industries and the public;
- (2) Increase penalties and fine amounts for unlicensed activity and license violations; and
- (3) Remove the medical clearance requirement for licensees.

Your Committee received testimony in support of this measure from the Board of Barbering and Cosmetology.

Your Committee finds that the regulation of barbering and cosmetology is unnecessarily complicated due to inconsistencies between the separate statutory chapters that regulate these industries. This measure will consolidate and align the regulatory scheme for the two professions to clarify licensure requirements and address the evolving industries' concerns and needs.

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. 2109, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2109, 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 (Onishi).

#### **SCRep. 55-22 Consumer Protection & Commerce on H.B. No. 2176**

The purpose of this measure is to:

- (1) Authorize the Taxation Board of Review to validate its actions by a concurrence of a majority of the members who heard the appeal;
- (2) Eliminate the requirement that the Taxation Board of Review meet in each taxation district at least once annually;
- (3) Clarify the notice requirements for hearings by the Taxation Board of Review; and
- (4) Clarify the legal and evidentiary framework the Taxation Board of Review utilizes to reach decisions.

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 measure clarifies the necessary administrative procedures for validating Taxation Board of Review (Board) actions, streamlines the legal notice and due process requirements for the Board to conduct contested case hearings, and further establishes the evidentiary frameworks that the Board must use in adjudicating issues and reaching its decisions. Establishing the clear institutional guidelines provided in this measure for the Board will greatly assist the Department of Taxation work through its significant backlog of appeals and ensure that Hawaii's taxpayers have their tax appeal issues resolved fairly and expeditiously.

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. 2176, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2176, 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 (Onishi).

#### **SCRep. 56-22 Consumer Protection & Commerce on H.B. No. 1863**

The purpose of this measure is to increase access to representation for residential tenants in actions or proceedings for possession by:

- (1) Providing for state-funded access to legal services for residential tenants, with full access to each income-eligible tenant available by July 1, 2027;
- (2) Authorizing attorneys, paralegals, and law students to provide the legal services to eligible residential tenants; and
- (3) Appropriating funds to the Judiciary to contract with legal service organizations or clinical training programs to carry out this purpose.

Your Committee received testimony in support of this measure from the National Coalition for a Civil Right to Counsel. Your Committee received comments on this measure from the Department of Budget and Finance, Judiciary, and Department of Human Services.

Your Committee finds that the continuing pandemic health and economic impacts, soaring home sales, rising rents, and increasing costs for food and other necessities have made fixed- and low-income residents more vulnerable to housing instability and evictions. Your Committee further finds that evictions can negatively impact many areas of a person's life, including housing stability, child custody, and employment. Housing stability in particular is a fundamental necessity for individuals and families to succeed in school and work, maintain a healthy life, and build strong communities.

Your Committee notes that the Hawaii Supreme Court is currently exploring the goal of increasing access to representation for residential tenants in residential landlord-tenant disputes via two ongoing pilot projects in the first and second circuits. Your Committee believes that the pilot project contemplated by this measure warrants further discussion.

Accordingly, 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. 1863, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1863, 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 (Onishi).

#### **SCRep. 57-22      Transportation on H.B. No. 2246**

The purpose of this measure is to amend the state highway enforcement program surcharge from \$200 to an unspecified amount.

Your Committee received testimony in support of this measure from the Department of Transportation and one member of the Hawai'i County Council. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the state highway enforcement program surcharge was established to address illegal parking and other violations on state highways, with revenues going to the State Highway Fund and respective police departments of the county from which the surcharge was collected. Increasing the surcharge will provide additional resources to state and county law enforcement agencies to enforce parking violations and improve safety along state highways.

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 H.B. No. 2246, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2246, 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 (LoPresti, Takumi).

#### **SCRep. 58-22      Transportation on H.B. No. 2336**

The purpose of this measure is to:

- (1) Clarify certain provisions in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the Photo Red Light Imaging Detector Systems Program; and
- (2) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for changes in fiscal needs based on the current timetable of the program.

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 received testimony in opposition to this measure from one individual.

Your Committee finds that the prevalence of drivers violating Hawaii's traffic laws endangers the lives of motorists and pedestrians and compounds the already hazardous conditions on Hawaii's roads and highways. Act 30, Session Laws of Hawaii 2020, established the Photo Red Light Imaging Detector Systems Program to improve enforcement of the traffic signal laws. This measure clarifies various provisions related to the program and adjusts funding and applicable dates to correlate with its current timeline.

Your Committee requests that should your Committee on Finance choose to hear this measure, it examines whether the extension of the lapse date to June 30, 2025, is appropriate for monies appropriated for all of the fiscal years listed in the measure.

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 H.B. No. 2336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2336, 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 (LoPresti, Takumi).

#### **SCRep. 59-22      Transportation on H.B. No. 1688**

The purpose of this measure is to:

- (1) Subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles; and
- (2) Authorize the counties to use certain motor vehicle registration fees to mitigate and address the impacts of tourism-related traffic congestion.

Your Committee received testimony in support of this measure from the Mayor of the County of Kaua'i, Mayor of the County of Maui, one member of the Hawai'i County Council, County of Kaua'i Department of Finance, Enterprise Holdings, and Hertz. Your Committee received comments on this measure from the 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 in Hawaii. Congestion on the State's roadways continues to increase, forcing people to spend more time sitting in vehicles and less time being productive at work or enjoying time with families and friends. Raising the registration fee for U-drive motor vehicles, or rental motor vehicles, will create parity between U-drive vehicles and all other motor vehicles and help the counties address the impacts of tourism congestion.

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. 1688 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, 1 (Takumi).

#### **SCRep. 60-22      Transportation on H.B. No. 1686**

The purpose of this measure is to require the Director of Transportation to establish and implement a digital identification pilot program.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of the Enterprise Technology Services, and NEC Corporation of America. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that digital identification systems are personal identification systems that use digital technology from the initial capture of data to its validation. These systems are becoming more reliant as advances in technology and security continue to push the boundaries of digital services. Establishing a digital identification pilot program in the State could provide many benefits, including helping disadvantaged communities participate more fully in society, assisting governments in implementing more responsive and agile public services, and fighting fraud.

Your Committee has amended this measure by:

- (1) Placing the provisions of this measure in Session Law, rather than chapter 286, Hawaii Revised Statutes;
- (2) Requiring the Office of Enterprise Technology Services to assist the Director of Transportation in the implementation of the pilot program;
- (3) Including automatic voter registration in the pilot program;
- (4) Extending the repeal date of the pilot program to June 30, 2025;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1686, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1686, 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 (Takumi).

#### **SCRep. 61-22      Transportation on H.B. No. 2218**

The purpose of this measure is to designate the reef runway at the Daniel K. Inouye International Airport as the Frank T. Okimoto Reef Runway.

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

Your Committee finds that to alleviate aircraft noise patterns over Honolulu and the surrounding areas, the reef runway was constructed on coral reef adjacent to the Honolulu International Airport in 1977. The project engineer for the reef runway was the late Frank T. Okimoto, who served as an airports civil engineer from 1967 until his untimely passing in 1978. Designating the reef runway as the Frank T. Okimoto Reef Runway will be an appropriate tribute to Mr. Okimoto, whose insight, questions, and exacting standards motivated everyone connected with the 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 H.B. No. 2218 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, 2 (LoPresti, Takumi).

#### **SCRep. 62-22      Higher Education & Technology on H.B. No. 2015**

The purpose of this measure is to establish an institute within the William S. Richardson School of Law to be known as Hookaulike: A Criminal Legal System Institute for Restoration and Healing (Hookaulike).

Your Committee received testimony in support of this measure from the William S. Richardson School of Law at the University of Hawaii at Mānoa, Hawai'i inuiākea School of Hawaiian Knowledge at the University of Hawaii at Mānoa, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hookaulike would help to address the overrepresentation of Native Hawaiians, Pacific Islanders, and other communities of color in the State's correctional system. The goal is to create an inclusive and fair criminal legal system devoted to restoration and healing.

Your Committee has amended this measure by:

- (1) Streamlining the purpose section to narrow the scope of the legislative intent;
- (2) Including county and nonprofit agencies and organizations, as well as the Criminal Justice Research Institute of the Judiciary, as conduits for regular reporting and consultation;
- (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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2015, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2015, 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 (Woodson).

**SCRep. 63-22 Higher Education & Technology on H.B. No. 2397**

The purpose of this measure is to provide greater access to broadband internet service to the people of Hawaii by:

- (1) Establishing the Hawaii Broadband Infrastructure Authority;
- (2) Defining broadband equity within the Hawaii Broadband and Digital Equity Office; and
- (3) Appropriating federal funds.

Your Committee received testimony in support of this measure from the University of Hawaii System; Department of Transportation; Office of Community Services of the Department of Labor and Industrial Relations; Hawaii State Council on Developmental Disabilities; and Ocean Networks, Inc. Your Committee received testimony in opposition to this measure from CTIA. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Office of Information Practices; Hawaiian Telcom; Charter Communications; and two individuals.

Your Committee finds that increasing access to broadband service and expanding digital equity are crucial to the ability of Hawaii's people to thrive in an increasingly technology-driven economy and world.

Your Committee has amended this measure by:

- (1) Adding the Director of Commerce and Consumer Affairs and the Director of the Hawaii Broadband and Digital Equity Office as ex officio members of the Hawaii Broadband Infrastructure Authority (Authority);
- (2) Deleting provisions relating to the remote participation of Authority members and thereby applying the remote meeting requirement of the Sunshine Law (Part I of Chapter 92, Hawaii Revised Statutes) to the Authority;
- (3) Transferring the promotion of the landing of trans-Pacific submarine cable with the development of a shared access cable station and associated terrestrial connectivity to reduce barriers to fiber landing in Hawaii from the Hawaii Broadband and Digital Equity Office to the Authority;
- (4) Modifying the manner, including through the application of chapter 92F, Hawaii Revised Statutes, in which the Authority collects data from communications service providers and any wireless providers that own or operate advanced communications technology infrastructure in the State concerning infrastructure deployment and costs, revenues, and subscribership;
- (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.

Your Committee notes that several communication service providers raised concerns that this measure's provisions regarding the collection of data may duplicate or conflict with federal laws. Your Committee respectfully requests that should your committees on Consumer Protection & Commerce and Finance choose to hear this measure, they consider these issues further. Furthermore, your Committee believes that the Authority is meant to take the lead in infrastructure planning, design, and financing, while the Hawaii Broadband and Digital Equity Office is intended to ensure fair access of broadband service to all communities.

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. 2397, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2397, 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 (Okimoto). Noes, none. Excused, 1 (Woodson).

**SCRep. 64-22 Labor & Tourism on H.B. No. 2471**

The purpose of this measure is to amend the definition of "adequate reserve fund" to exclude the benefit cost rate from June 2020 through August 2021, effective for calendar years 2023 through 2030.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Adequate Reserve Fund is used as a measure of the solvency of the Unemployment Compensation Trust Fund and to determine the unemployment insurance tax schedule. The ratio of the current reserve divided by the adequate reserve determines which unemployment insurance tax schedule is in effect for a calendar year. As it is currently defined, the Adequate Reserve Fund will include the anomalous outflow from 2020 to 2021 due to the coronavirus disease 2019, which created an unprecedented period of unemployment in Hawaii and resulted in the rapid depletion of funds from the Unemployment Compensation Trust Fund.

Your Committee further finds that this measure is an attempt to stabilize unemployment rates for the years 2023 through 2030 without resorting to artificially setting the rate schedule by statute. Amending the definition of "adequate reserve fund" will allow contributory employers to replenish the Unemployment Compensation Trust Fund and help to reestablish the fund's integrity without imposing the highest contribution schedules for years as Hawaii's economy continues to recover from the pandemic.

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. 2471, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2471, 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. 65-22 Labor & Tourism on H.B. No. 1852**

The purpose of this measure is to appropriate funds to the Unemployment Compensation Trust Fund.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 pandemic created an unprecedented period of unemployment in Hawaii that resulted in the rapid depletion of funds from the Unemployment Compensation Trust Fund. The Department of Labor and Industrial Relations estimates that for every \$100,000,000 added to the Unemployment Compensation Trust Fund, the statutory schedule of employer taxes will likely drop one level in the following calendar year.

Your Committee finds, however, that the infusion of funds into the Unemployment Compensation Trust Fund is not anticipated to reduce employers' tax rates beyond one year because the ratio of the current reserve to the adequate reserve, which is used to determine the unemployment insurance tax schedule for employers, is calculated annually.

Nonetheless, your Committee requests that, should your Committee on Finance consider this measure, that it consider appropriating \$300,000,000 to supplement the Unemployment Compensation Trust Fund.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) 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. 1852, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1852, 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. 66-22 Labor & Tourism on H.B. No. 2158**

The purpose of this measure is to:

- (1) Allow the Director of Labor and Industrial Relations to permit owner-user inspectors in the exclusive employment of owner-user inspection organizations to perform inspections on pressure retaining items; and
- (2) Extend the time for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund from ten to thirteen years.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Hawaiian Electric Company, Inc.

Your Committee finds that this measure will allow the Department of Labor and Industrial Relations to augment its ability to inspect and assure the safe operation of boiler pressure vessels and pressure systems in the State. This measure will also ensure that owner-user inspectors, who are certified to the same standards as insurance company inspectors and the State's jurisdictional inspectors, are readily available for inspections and consultations.

Your Committee also finds that the three-year extension of time for the Department of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund will help to ensure that safety operations can continue while maintaining a feasible repayment schedule for the Department. Your Committee notes that the Department of Labor and Industrial Relations has deposited \$750,000 toward the reimbursement of the \$1,000,000 loan from the general fund.

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. 2158, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2158, 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. 67-22 Labor & Tourism on H.B. No. 2448**

The purpose of this measure is to:

- (1) Require the Department of Labor and Industrial Relations to establish and maintain a statewide data hub to collect employer and employee data;
- (2) Authorize the Department of Labor and Industrial Relations to determine the type of employer and employee data to collect, the functions of the statewide data hub, and access and document retention policies for the data; and
- (3) Appropriate funds for positions to staff the statewide data hub.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations; Department of Budget and Finance; and Department of Business, Economic Development, and Tourism.

Your Committee finds that the statewide data hub is intended to address gaps in the State's available employer and employee data. The utility of data collected through unemployment insurance records is hampered by federal stipulations because unemployment insurance is a federally funded program. Accordingly, many states have started a state data hub for employer and employee information so that they can collect appropriate data to make policy decisions.

Your Committee further finds that in 2021, the Department of Labor and Industrial Relations' Research and Statistics Division was abolished and the related positions and funding were transferred to the Department of Business, Economic Development, and Tourism. Therefore, even with the added positions and funding proposed in this measure, the Department of Labor and Industrial Relations would lack the expertise to undertake the establishment of a statewide data hub.

Your Committee finds that the statewide data hub would instead be a good complement to the work being done by the Labor Research Program at the Department of Business, Economic Development, and Tourism, and as such, the statewide data hub is more suitably placed in that department.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Business, Economic Development, and Tourism, rather than the Department of Labor and Industrial Relations, to establish the statewide data hub;

- (2) Providing the Department of Business, Economic Development, and Tourism with wide flexibility in determining the type of employer and employee data to collect;
- (3) Changing the appropriation to an unspecified amount and making the expending agency the Department of Business, Economic Development, and Tourism;
- (4) Removing the appropriation to establish new positions to staff the statewide data hub;
- (5) Changing the effective date to December 25, 2040, 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2448, 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. 68-22 Labor & Tourism on H.B. No. 2447**

The purpose of this measure is to:

- (1) Establish a new licensing regime for boiler inspectors and elevator inspectors, including the creation of the Boiler and Elevator Inspectors Board;
- (2) Transfer the licensing of boiler inspectors and elevator inspectors from the Department of Labor and Industrial Relations to the Board; and
- (3) Clarify that any inspection required under the Boiler and Elevator Safety Law, including inspections required to be done by the Department of Labor and Industrial Relations, may be directed to be completed by licensed qualified boiler inspectors or licensed qualified elevator inspectors.

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 Department of the Attorney General.

Your Committee finds that establishing a new licensing regime would ensure that the boiler and elevator inspectors meet appropriate training requirements and qualifications to be licensed as inspectors. Currently the inspectors are all state employees and there are not enough inspectors to fully comply with the regulatory inspections of all elevators and other types of devices in need of inspection.

Your Committee has amended this measure by:

- (1) Specifying that the Boiler and Elevator Inspectors Board shall be administratively placed in the Department of Commerce and Consumer Affairs;
- (2) Specifying the method of appointment of members to the Boiler and Elevator Inspectors Board;
- (3) Extending the specific date for which commissions to inspect and certificates of competency relating to boiler inspectors or elevator inspectors shall remain valid to December 31, 2024;
- (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. 2447, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2447, 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 (Okimoto). Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 69-22 Labor & Tourism on H.B. No. 2469**

The purpose of this measure is to:

- (1) Establish an Unemployment Compensation Insolvency Special Fund to be expended solely to resolve an Unemployment Compensation Trust Fund insolvency emergency declared by the Governor;
- (2) Permit the Governor to declare an Unemployment Compensation Trust Fund insolvency emergency and to expend monies from the special fund if the Director of Finance determines that the trust fund balance is insufficient to meet the State's obligations; and
- (3) Appropriate monies into the Unemployment Compensation Insolvency Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, Tax Foundation of Hawaii, and Parents and Children Together.

Your Committee finds that as a result of the coronavirus disease 2019 pandemic, unanticipated demands were placed upon the Unemployment Compensation Trust Fund. This measure is intended to better prepare the State for instances where the trust fund's balance is insufficient to meet the State's obligations.

Your Committee 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. 2469, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2469, 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, 2 (D. Kobayashi, Okimoto). Excused, none.

#### **SCRep. 70-22 Culture, Arts, & International Affairs on H.B. No. 1449**

The purpose of this measure is to establish June 19 of each year as a state holiday to be known as Juneteenth Day.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission; Hawai'i State Association of Counties; Common Cause Hawaii; Planned Parenthood Alliance Advocates; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. 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 Budget and Finance, Office of Collective Bargaining, and Department of Human Resources of the City and County of Honolulu.

Your Committee finds that June 19 is a federal holiday known as Juneteenth, which marks the day that news of emancipation reached the last state, Texas, in 1866, over two years after the Emancipation Proclamation was issued. Your Committee further finds that designating Juneteenth as a state holiday will recognize the history and legacy of slavery in the United States and honor the significant roles, contributions, and achievements of African Americans in the history of the United States and Hawaii as well as the fundamental importance of equal treatment for all, regardless of race, color, or national origin.

Your Committee has amended this measure by changing the effective date to July 1, 2044, 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. 1449, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1449, 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 (Ward). Noes, none. Excused, none.

#### **SCRep. 71-22      Culture, Arts, & International Affairs on H.B. No. 2253**

The purpose of this measure is to appropriate funds to support international sister-state relationships.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii's sister-state relationships serve to raise Hawaii's profile internationally and attract dynamic cooperative programs such as mutual exchanges in business, culture, tourism, and education that positively impact the State's economic growth. Your Committee further finds that providing additional funds to support these relationships will allow the State to leverage existing relationships and activities to continue to raise Hawaii's international role.

Your Committee has amended this measure by changing the effective date to July 1, 2044, to encourage further discussion.

Your Committee respectfully requests your Committee on Consumer Protection and Commerce, should it deliberate this measure further, to consider appropriating \$200,000 to support the State's international sister-state relationships.

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. 2253, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2253, 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, none.

#### **SCRep. 72-22      Culture, Arts, & International Affairs on H.B. No. 2347**

The purpose of this measure is to provide funding for the development of a master plan to address the current and future facilities of the Hawaii State Archives.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii State Archives.

Your Committee finds that the Hawaii State Archives fulfills an important role as the keeper of public records and the repository of important records and artifacts from the Hawaiian Kingdom to the present. Your Committee further finds that the Hawaii State Archives' existing facilities are outdated and prevent the Hawaii State Archives from fully performing its duties and functions to serve the State and the public.

Your Committee has amended this measure by:

- (1) Changing the general obligation bond issuance to an unspecified amount;
- (2) Changing the effective date to July 1, 2044, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Judiciary and Hawaiian Affairs, should it deliberate this measure further, to consider authorizing the issuance of general obligation bonds in the sum of \$1,000,000 for the development of a master plan to address current and future facilities needs of the Hawaii State Archives.

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. 2347, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2347, 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, none.

#### **SCRep. 73-22      Culture, Arts, & International Affairs on H.B. No. 2449**

The purpose of this measure is to:

- (1) Appropriate funds for additional staff positions in the Hawaii State Archives to assist with its mission and increase public access to historical documents and artifacts;
- (2) Provide funding for the construction of an additional building to address the current and future facilities needs of the Hawaii State Archives;
- (3) Require all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians and submit a report on the inventory; and
- (4) Require the Hawaii State Archives to develop a plan to acquire those documents and submit the plan to the Legislature.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii State Archives. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii State Archives performs a critical function in preserving Hawaii's rich culture and history. The mission of the Hawaii State Archives is to "ensure open government by preserving and making accessible the historic records of state government and to partner with state agencies to manage their active and inactive records." This measure will assist the Hawaii State Archives with its mission by expanding its operations and collection of documents and artifacts and promoting greater public access and engagement.

Your Committee has amended this measure by:

- (1) Changing the appropriation and general obligation bond authorization to unspecified amounts;
- (2) Changing the effective date to July 1, 2044, to encourage further discussion; and
- (3) 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 consider:

- (1) Appropriating \$720,000 for additional staff positions in the Hawaii State Archives; and
- (2) Authorizing the Director of Finance to issue \$50,000,000 in general obligation bonds for the purpose of financing an additional building for the Hawaii State Archives.

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. 2449, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2449, 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, none.

#### **SCRep. 74-22      Culture, Arts, & International Affairs on H.B. No. 2491**

The purpose of this measure is to require:

- (1) Official stationery and websites of designated state officials to include the Hawaiian translation of the office's or department's name; and
- (2) All letterheads, documents, symbols, and emblems of the State and counties and state highway signs that include Hawaiian names and words to include Hawaiian names, words, spelling, and punctuation consistent with certain references.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Civil Rights Commission, University of Hawaii at Hilo, Center for Hawaiian Sovereignty Studies, and two individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that the first written versions of Hawaiian did not include the use of 'okina and kahakō and that these marks were subsequently developed to help learners of the Hawaiian language determine when to elongate a vowel or insert a glottal stop. Your Committee notes that there are some Native Hawaiian speakers who still utilize written Hawaiian without the use of 'okina and kahakō. Your Committee does not intend this measure to establish the superiority of one version of orthography over the other, or to invalidate communities of Native Hawaiian speakers who do not follow contemporary Hawaiian writing or structures.

Your Committee has amended this measure by:

- (1) Clarifying that the use of certain references for the consistent spelling of Hawaiian names and words shall only be used if the document, publication, or state highway sign is intended for use specifically in a community where a unique dialect is commonly used;
- (2) Requiring the University of Hawaii to compile a full list of all dialects and other variations of the Hawaiian language currently in use;
- (3) Changing the effective date to July 1, 2044, 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2491, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2491, 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, none.

#### **SCRep. 75-22      Water & Land on H.B. No. 2229**

The purpose of this measure is to require the University of Hawaii to establish and implement a two-year program to study the impact of sandbag walls, often referred to as "sand burritos", on sand movement patterns and coastal erosion at Ehukai Beach Park on the North Shore of Oahu.

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, Department of Budget and Finance, and University of Hawaii Sea Grant College Program.

Your Committee finds that beach and shoreline erosion has been a persistent and increasing problem for the Hawaiian Islands and is particularly acute in certain sections of the North Shore of Oahu.

Your Committee has amended this measure by:

- (1) Deleting the temporary moratorium on the use of sandbag walls, or "sand burritos", by homeowners;
- (2) Expanding the scope of the University of Hawaii's study to include the impact of sandbag walls, or "sand burritos", on public trust resources, including beach access, coastal water quality, and recreation;
- (3) Clarifying the geographical reach of the University of Hawaii's study;
- (4) Requiring the University of Hawaii to submit its report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2025;
- (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 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. 2229, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2229, 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 (McDermott).

#### **SCRep. 76-22 Water & Land on H.B. No. 1788**

The purpose of this measure is to revitalize the Waiakea Peninsula area of Hilo by:

- (1) Establishing the Waiakea Peninsula Redevelopment District and planning committee for the redevelopment of public lands on the Waiakea Peninsula;
- (2) Establishing the Waiakea Peninsula Redevelopment District Revolving Fund; and
- (3) Making an appropriation.

Your Committee received testimony in support of this measure from the Planning Department of the County of Hawaii and two individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that the Waiakea Peninsula is the premier tourism district in eastern Hawaii Island but has, over time, deteriorated into a dilapidated condition. This measure would help to revitalize an important part of the Hilo community.

Your Committee has amended this measure by:

- (1) Clarifying that one of the sources of revenue for the Waiakea Peninsula Redevelopment District Revolving Fund is the revenues, income, and receipts from the public lands in the Waiakea Peninsula Redevelopment District that is established by the planning committee;
- (2) Making technical modifications to the membership of the planning committee;
- (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.

Your Committee respectfully requests that your Committees on Judiciary & Hawaiian Affairs and Finance, should they choose to hear this measure, address the concerns raised by the Department of the Attorney General and Department of Budget and Finance in their written testimony.

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. 1788, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1788, 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 (Ganaden, B. Kobayashi). Noes, none. Excused, 2 (Kong, McDermott).

#### **SCRep. 77-22 Energy & Environmental Protection/Labor & Tourism on H.B. No. 1645**

The purpose of this measure is to prohibit lodging establishments from providing personal care products in small plastic bottles within sleeping room accommodations, any space within sleeping room accommodations, or bathrooms used by the public or guests.

Your Committees received testimony in support of this measure from Fair Wind, Surfrider Foundation, Conservation Council for Hawai'i, 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 Health and Hawai'i Tourism Authority.

Your Committees find that the use of single-use toiletries in hotels and other lodging establishments contributes to plastic waste locally and globally. In response, states like California and New York have recently passed laws that prohibit hotels, bed and breakfast homes, and short-term vacation rentals from providing single-use personal care products. This measure would tackle the ever-growing problems associated with plastic waste and transition consumers and businesses toward more sustainable alternatives.

Your Committees have amended this measure by:

- (1) Delaying the start date for the prohibition for the use of complimentary single-use toiletries in hotels and other lodging establishments in the State to January 1, 2025, for lodging establishments with more than fifty sleeping room accommodations and January 1, 2027, for lodging establishments with fifty or fewer sleeping room accommodations; 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 Labor & Tourism that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1645, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1645, 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; Ayes with Reservations (Tokioka). Noes, none. Excused, 1 (Hashem).

Labor & Tourism: Ayes, 6; Ayes with Reservations (Okimoto). Noes, none. Excused, 2 (Belatti, Quinlan).

#### **SCRep. 78-22 Energy & Environmental Protection on H.B. No. 2399**

The purpose of this measure is to:

- (1) Establish an Extended Producer Responsibility Program;
- (2) Require certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year from 2023 to 2027;
- (3) Provide for the deposit of fees into an Extended Producer Responsibility Special Fund;
- (4) Provide for the expenditure of monies from the Extended Producer Responsibility Special Fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty percent by 2026 and eighty percent by 2030; and

## (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Health, Life of the Land, Zero Waste Hawai'i Island, Hawai'i Reef and Ocean Coalition, Hawai'i Wildlife Fund, and fifteen individuals. Your Committee received testimony in opposition to this measure from Island Plastic Bags, Inc.; Hawaii Food Industry Association; American Beverage Association; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Association of Home Appliance Manufacturers, and American Chemistry Council.

Your Committee finds that as the State strives to fulfill its commitments to reduce waste and effectively mitigate the impacts of climate change, extended producer responsibility policies offer an opportunity to create mutually beneficial partnerships with the businesses that produce packaging waste. Extended producer responsibility policies are designed to transfer some portion of the costs of managing the waste generated by the sale of consumer goods to the entities that produce those goods. This measure requires producers to internalize the environmental and public health costs of their products and design better products and systems that reduce waste at the source and encourage the reuse of more waste materials.

Your Committee notes the testimony from the Department of Health requesting three additional positions to implement the Extended Producer Responsibility Program, of which one position would need to be funded immediately through general funds and later through the Extended Producer Responsibility Special Fund, while the other two positions would be filled once administrative rules are established and those positions can be funded by the special fund.

Your Committee has amended this measure by:

- (1) Specifying that the program year, sales prohibition start and end dates, producer registration start date, and other effective dates related to the Extended Producer Responsibility Program shall be determined by the Department of Health by administrative rules;
- (2) Authorizing the Department of Health to require third-party audits to determine compliance;
- (3) Inserting language that establishes and appropriates funds for one full-time equivalent position for the Extended Producer Responsibility Program to develop rules, oversee and manage goals and objectives related to waste management, analyze and assess waste reduction targets, and develop reports;
- (4) Changing the effective date to July 1, 2100, 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. 2399, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2399, 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 (Hashem, Matayoshi).

#### **SCRep. 79-22 Energy & Environmental Protection on H.B. No. 1641**

The purpose of this measure is to require 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 distributors and redemption centers for audit.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawai'i Department of Environmental Management, American Beverage Association, and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Office of the Auditor conducts a financial and program audit of the Deposit Beverage Container Program every other year. Time after time, these audits demonstrate the program's failure to develop and execute procedures to verify the accuracy and completeness of data used to support claims of the deposit and container fees paid to the program by the distributors, as well as deposits and handling fees paid to the redemption centers. This measure helps to further ensure the transparency and accountability of the Deposit Beverage Container Program.

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. 1641 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, 6. Noes, none. Excused, 2 (Hashem, Matayoshi).

#### **SCRep. 80-22 Energy & Environmental Protection on H.B. No. 1809**

The purpose of this measure is to establish a renewable fuels production tax credit.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Life of the Land, Hawaii Clean Power Alliance, Hawai'i Gas, Climate Protectors Hawai'i, Pacific Biodiesel Technologies, and one individual. Your Committee received testimony in opposition to this measure from the Pet Food Institute. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, and one individual.

Your Committee finds that creating a stronger market for renewable fuels is essential to developing a sustainable clean energy economy in the State. Therefore, further investments and incentives are necessary to encourage renewable fuel production. This measure establishes a renewable fuels production tax credit, helping the State achieve its goal of one hundred percent renewable energy by 2045.

Your Committee has amended this measure by:

- (1) Directing the Hawaii State Energy Office, rather than the Department of Business, Economic Development, and Tourism, to verify and certify certain information for taxpayers claiming the renewable fuels production tax credit, including certification that the renewable fuels produced have life cycle emissions substantially below that of fossil fuels;
- (2) Changing the effective date to July 1, 2100, 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. 1809, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1809, 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. 81-22 Energy & Environmental Protection on H.B. No. 1644**

The purpose of this measure is to, beginning July 1, 2023, ban the manufacture, sale, or distribution for sale or use of wraps and liners, plates, food boats, pizza boxes, and firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances.

Your Committee received testimony in support of this measure from the Surfrider Foundation, Zero Waste Hawai'i Island, Hawai'i Reef and Ocean Coalition, B.E.A.C.H., Hawaii Fire Fighters Association, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Hawai'i Restaurant Association, and American Chemistry Council.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances are chemicals that have been used in many consumer products since the 1940s. These chemicals accumulate in the human body, and exposure can lead to adverse health outcomes in humans. This measure addresses the many environmental, health, and safety concerns related to the use of perfluoroalkyl and polyfluoroalkyl substances by prohibiting the manufacture, sale, and distribution of certain food packaging and firefighting foams that contain these chemicals.

Your Committee has amended this measure by:

- (1) Clarifying the purpose statement;
- (2) Placing the provisions in chapter 321, Hawaii Revised Statutes, rather than chapter 328, Hawaii Revised Statutes;
- (3) Specifying that the ban on the manufacture, sale, or distribution for sale or use of food packaging and Class B firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances shall commence on December 31, 2024, and July 1, 2024, respectively;
- (4) Changing the effective date to July 1, 2100, 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. 1644, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1644, 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 (Hashem, Matayoshi).

**SCRep. 82-22 Energy & Environmental Protection on H.B. No. 1643**

The purpose of this measure is to, beginning January 1, 2023, allow a food vendor to provide or distribute disposable service ware for prepared food or for a beverage only upon the request or affirmative response of a customer or person being provided the prepared food or beverage, or in a self-service area or dispenser.

Your Committee received testimony in support of this measure from the Hawai'i Restaurant Association, Surfrider Foundation, B.E.A.C.H., 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 Health, Hawaii Food Industry Association, and American Chemistry Council.

Your Committee finds that the production, use, and disposal of service ware designed to be discarded after a single use or limited number of uses damage Hawaii's environment and ecosystems, overburden state recycling facilities, and contribute to global greenhouse gas emissions at every stage in the lifecycle of their production. Additionally, the City and County of Honolulu's disposable service ware ordinance, which dictates that disposable service ware may be provided to customers only upon request, has proven successful in reducing the distribution of single or limited-use utensils. This measure expands on the success of the City and County of Honolulu's ordinance to reduce the amount of disposable service ware that may have negative impacts on the environment.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have required the Director of Health to adopt rules regarding the enforcement of the disposable service ware upon request mandate and deleting related enforcement authorizations;
- (2) Changing the effective date to July 1, 2100, 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. 1643, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1643, 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 (Hashem, Matayoshi).

**SCRep. 83-22 Energy & Environmental Protection on H.B. No. 2195**

The purpose of this measure is to establish and appropriate funds for a Cesspool Compliance Pilot Grant Project to assist low- and moderate-income property owners with the costs of upgrading, converting, or connecting a cesspool.

Your Committee received testimony in support of this measure from the Department of Health, Department of Hawaiian Home Lands, Hawai'i Reef and Ocean Coalition, WAI: Wastewater Alternatives & Innovations, 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 Budget and Finance.

Your Committee finds that Hawaii has nearly eighty-eight thousand cesspools that release more than fifty million gallons of raw sewage into the State's groundwater and surface waters every day. While the State established a requirement for the upgrade, conversion, or connection of all cesspools in the State to more environmentally appropriate wastewater management systems or to a sewerage system by 2050, further mechanisms must be in place to reduce the number of cesspools in the State, including assisting low- and moderate-income families with the upgrade, conversion, or connection.

Your Committee has amended this measure by:

- (1) Including lessees on Hawaiian home lands with a cesspool to be eligible for the Cesspool Compliance Pilot Grant Project;
- (2) Specifying that the Department of Health shall grant awards on a first-come, first-served basis, subject to funding availability;
- (3) Changing the effective date to July 1, 2100, 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. 2195, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2195, 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 (Hashem, Matayoshi).

#### **SCRep. 84-22 Energy & Environmental Protection on H.B. No. 2147**

The purpose of this measure is to reinstate the Department of Health's authority to permit federal municipal solid waste landfills.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawai'i Department of Environmental Management, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that due to Act 73, Session Laws of Hawaii 2020, the Department of Health lost its ability to permit federal municipal solid waste landfills and may be non-compliant with federal laws and regulations. Therefore, it is critical to insert the phrase "any federal agency" back into section 342H-52, Hawaii Revised Statutes, to avoid the loss of state program approval, under federal standards, for alternative liner and cover design and groundwater monitoring programs that may be more suited for local site conditions.

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 H.B. No. 2147, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2147, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Hashem, Matayoshi).

#### **SCRep. 85-22 Energy & Environmental Protection on H.B. No. 1968**

The purpose of this measure is to prohibit the construction, modification, or expansion of any waste or disposal facility on land that covers a significant aquifer as determined by the Department of Health.

Your Committee received testimony in support of this measure from the Royal Kunia Community Association, Hawaii Crop Improvement Association, Hawai'i Farm Bureau, Village Park Community Association, and four individuals. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Environmental Services. Your Committee received comments on this measure from the Department of Health, Department of Land and Natural Resources, and one member of the Kaua'i County Council.

Your Committee finds that there are serious concerns about future waste or disposal facilities being sited on lands above important sources of groundwater for agriculture, drinking, irrigation, domestic, commercial, and industrial needs. This measure ensures the protection of the State's aquifers and helps to prevent contaminants reaching these important natural resources.

Your Committee notes that the passage of this measure may negatively impact the City and County of Honolulu's efforts to identify a new location for a landfill, as directed by the Land Use Commission, by December 31, 2022, and future landfill siting on the island of Kauai.

Your Committee has amended this measure by:

- (1) Requiring the Department of Health to work in consultation with the Department of Land and Natural Resources' Commission on Water Resource Management to determine what constitutes a "significant aquifer" and whether sites are near or above a significant aquifer;
- (2) Changing the effective date to July 1, 2100, 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. 1968, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1968, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Hashem, Matayoshi).

#### **SCRep. 86-22 Energy & Environmental Protection on H.B. No. 1640**

The purpose of this measure is to:

- (1) Change the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act;
- (2) Establish electronic device manufacturer recycling goals and record keeping and reporting requirements for manufacturers and collectors;
- (3) Require collectors to register with the Department of Health;
- (4) Amend and repeal various definitions;
- (5) Expand the recycling and collection requirements of televisions to all electronic devices; and
- (6) Require the Electronic Device Recycling and Recovery Program to include, among other things, a description of the methods for the convenient collection of electronic devices.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawai'i Department of Environmental Management, and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Electronic Waste and Television Recycling and Recovery Act has been an important part of Hawaii's solid waste management system. Making the recycling of electronic devices, including televisions, easier by implementing manufacturer and collector recycling obligations and requirements will ensure convenient recycling for the public.

Your Committee has amended this measure by:

- (1) Specifying percentage benchmarks for determining a manufacturer's recycling obligations for 2023, 2024, and 2025;

- (2) Increasing the frequency of collection services by a manufacturer to at least once per month; 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. 1640, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1640, 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 (Hashem, Matayoshi).

#### **SCRep. 87-22 Energy & Environmental Protection on H.B. No. 2148**

The purpose of this measure is to:

- (1) Add, amend, and reorganize sections in chapter 342D, Hawaii Revised Statutes, to consolidate water quality certification requirements and include wetlands in the definition of "state waters";
- (2) Clarify the Director of Health's responsibility as a water quality certifying agency under federal regulations; and
- (3) Increase maximum statutory civil penalties to match the amounts of federal penalties and the state penalty in section 342B-47(d), Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Health and three individuals.

Your Committee finds that although wetlands are included in the definitions of "state waters" under section 342E-1, Hawaii Revised Statutes, and Hawaii Administrative Rules, wetlands are not included in the definition of "state waters" in section 342D-1, Hawaii Revised Statutes. Additionally, your Committee finds that this measure will provide a framework for the State's certification program to implement Hawaii's water quality standards and further maintain a sufficient economic deterrence against violations of water pollution control laws.

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 H.B. No. 2148, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2148, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Hashem, Matayoshi).

#### **SCRep. 88-22 Health, Human Services, & Homelessness on H.B. No. 1894**

The purpose of this measure is to accommodate the use of traditional Hawaiian burial practices and environmentally friendly burial practices by including water cremation in the treatment and disposal of human remains.

Your Committee received testimony in support of this measure from Aloha Mortuary; Fisher & Associates, LLC; and thirteen individuals. Your Committee received comments on this measure from the Department of Health; Department of Commerce and Consumer Affairs; and Hawaii Funeral & Cemetery Association, Inc.

Your Committee finds that traditional Hawaiian burials play a critical role in Hawaiian culture and should be encouraged to promote greater cultural preservation. Your Committee further finds that the water cremation process benefits practitioners of traditional Hawaiian burial techniques and individuals who want an environmentally-friendly cremation option for themselves or their loved ones.

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. 1894, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1894, 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, none.

#### **SCRep. 89-22 Health, Human Services, & Homelessness on H.B. No. 1758**

The purpose of this measure is to allow for temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign jurisdiction who are seeking a state license by endorsement.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, Hawai'i Pacific Health, Hawai'i Friends of Civil Rights, Hawaii Primary Care Association, Hawai'i Coalition for Immigrant Rights, Planned Parenthood Alliance Advocates, and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, and The Queen's Health Systems.

Your Committee finds that the COVID-19 pandemic has exacerbated the State's nurse shortage. Your Committee further finds that while the State has a mechanism to provide temporary permits for qualified nurses who are applying for licensure by endorsement, this mechanism is limited to nurses who are licensed in other states and excludes other qualified nurses who may be licensed in a territory or foreign jurisdiction. This measure addresses the State's ongoing nurse shortage by expanding the eligibility of the existing temporary permit program to include qualified nurses who are licensed in a territory or foreign jurisdiction.

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 is in accord with the intent and purpose of H.B. No. 1758, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1758, 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, none.

**SCRep. 90-22 Health, Human Services, & Homelessness on H.B. No. 1892**

The purpose of this measure is to establish a pilot program within the Department of Health to provide free wireless broadband internet access, in parking lots adjacent to Department of Health buildings, to elderly residents.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Hawaii Primary Care Association, and AARP Hawai'i. Your Committee received comments on this measure from the Department of Health; Department of Budget and Finance; Department of Business, Economic Development and Tourism; and Executive Office on Aging.

Your Committee finds that due to the ongoing COVID-19 pandemic, there has been an increase in the use of remote or telehealth services for the provision of health care services. Your Committee further finds that many of the State's residents have struggled to obtain timely primary care services because of a lack of broadband internet resources. This measure serves to bridge the digital divide and improve access to telehealth visits and scheduling for disadvantaged populations.

Your Committee has amended this measure by:

- (1) Clarifying that the pilot program is to be offered to senior and rural residents;
- (2) Expanding the scope of the pilot program to include the digitization of certain vital records such as birth, death, and marriage certificates;
- (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. 1892, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1892, 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, none.

**SCRep. 91-22 Health, Human Services, & Homelessness on H.B. No. 1594**

The purpose of this measure is to:

- (1) Require all licensed nurses to respond to the Center for Nursing Workforce Supply Survey upon license renewal; and
- (2) Increase the Center for Nursing fee.

Your Committee received testimony in support of this measure from the University of Hawaii at Manoa Nancy Atmospera-Walch School of Nursing, Hawai'i State Center for Nursing, Hawai'i-American Nurses Association, The Queen's Health Systems, and three individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Board of Nursing.

Your Committee finds that the Center for Nursing was established in 2003, to be funded through a biennial \$40 fee assessed per individual nurse licensee. The fee has not been adjusted since that time and a modest increase is now needed to help the Center sustain the staffing needed to maintain its programs and meet its mandates. Additionally, your Committee finds that the Center for Nursing has faced challenges in securing adequate Nursing Workforce Supply Survey responses. Requiring responses to the survey will improve the Hawaii State Center for Nursing's ability to aggregate nursing workforce data and better inform policy makers, health care leaders, and others on the availability and characteristics of the nursing workforce in the State.

Your Committee has amended this measure by:

- (1) Deleting most of 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. 1594, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1594, 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, none.

**SCRep. 92-22 Health, Human Services, & Homelessness on H.B. No. 1575**

The purpose of this measure is to:

- (1) Broaden the scope of practice for physician assistants; and
- (2) Streamline the medical records review process for physician assistants by requiring a sampling of medical records, rather than all medical records, to be reviewed when prescribing controlled substances.

Your Committee received testimony in support of this measure from the Hawaii Medical Board, Hawai'i Pacific Health, Hawai'i Academy of Physician Assistants, The Queen's Health Systems, Kaiser Permanente Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Disability and Communication Access Board, Hawai'i State Center for Nursing, Occupational Therapy Association of Hawaii, and one individual.

Your Committee finds that physician assistants are highly trained health care professionals authorized to serve as primary care providers. Broadening the scope of practice for physician assistants can therefore help address the State's shortage of licensed physicians. Your Committee further finds that requiring a review of a sample, rather than all, medical records that contain written orders or prescriptions for controlled substances will alleviate a burdensome administrative requirement by a supervising physician. This measure lowers restrictions on physician assistants practice and decreases physician administrative burden while ensuring timely quality health care for Hawaii residents in the State.

Your Committee has amended this measure by:

- (1) Authorizing physician assistants to sign orders for occupational therapy and plans of care;

- (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. 1575, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1575, 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, none.

**SCRep. 93-22 Health, Human Services, & Homelessness on H.B. No. 1746**

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. Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition. 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. This measure aims to safeguard the public, protect aged and vulnerable persons, and ensure quality of care by requiring and enforcing the requirement that all residential care homes and other health care facilities, agencies, and organizations be licensed.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Health may impose an administrative penalty, rather than a fine, for knowingly referring or transferring of a patient to an unlicensed care home, agency, or facility;
- (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. 1746, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1746, 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, none.

**SCRep. 94-22 Health, Human Services, & Homelessness on H.B. No. 1581**

The purpose of this measure is to help ensure that homeless service providers are able to administer homeless services in a timely manner by:

- (1) Requiring the Governor's Coordinator on Homelessness to collect and maintain a database of private property owners who give prior consent for homeless service providers to enter an owner's private property, for purposes of administering homeless services to a homeless individual located on that private property; and
- (2) Exempting homeless service providers from civil and criminal liability that may result from the administration of homeless services.

Your Committee received testimony in support of this measure from the National Association of Social Workers - Hawai'i, Hawai'i Psychological Association, Kealahou West Oahu, and Hawai'i Health and Harm Reduction Center. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Budget and Finance.

Your Committee finds that addressing homelessness in the State requires several approaches, including the timely administration of appropriate housing and human services. Your Committee further finds that if homeless individuals are on private property, a homeless service provider must first obtain permission from the private property owner before entering the property to provide housing and human services. This measure reduces the delay in the provision of services to homeless individuals located on private property by establishing a database of private property owners who have granted prior consent for homeless services providers to enter their property for the administration of homeless services.

Your Committee has amended this measure by:

- (1) Limiting the exemption for homeless service providers to an exemption from any civil liability resulting from trespass rather than a broad exemption from civil and criminal liability;
- (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. 1581, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1581, 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, 2 (Gates, Ward).

**SCRep. 95-22 Health, Human Services, & Homelessness on H.B. No. 1667**

The purpose of this measure is to:

- (1) Clarify that a pharmacist-in-charge of a pharmacy may sign off on applications to perform Clinical Laboratory Improvement Amendments waived tests; and
- (2) Clarify that pharmacists may order and perform certain Clinical Laboratory Improvement Amendments waived tests.

Your Committee received testimony in support of this measure from the University of Hawaii at Hilo, Walgreen Co., Hawai'i Health & Harm Reduction Center, Times Pharmacy, Hawai'i Pharmacists Association, CVS Health, Hep Free Hawaii, and seven individuals. Your Committee received comments on this measure from the Department of Health and Board of Pharmacy.

Your Committee finds that under existing Department of Health regulations, pharmacies that perform Clinical Laboratory Improvement Amendments waived tests are required to partner with a clinical laboratory director to sign-off on the application to perform the tests. This signatory requirement places Hawaii in a minority of states that still have this requirement. Most states instead allow the pharmacist-in-charge of a pharmacy to sign applications for the purpose of authorizing Clinical Laboratory Improvement Amendments waived testing.

Your Committee has amended this measure by:

- (1) Specifying that a pharmacist, rather than the pharmacist-in-charge of a pharmacy, may serve as the director of a laboratory to order and perform Clinical Laboratory Improvement Amendments waived tests;
- (2) Clarifying that pharmacists may order and perform all Clinical Laboratory Improvement Amendments waived tests that are approved or authorized by the U.S. Food and Drug Administration;
- (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. 1667, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1667, 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, none.

#### **SCRep. 96-22      Agriculture on H.B. No. 1517**

The purpose of this measure is to support Hawaii's coffee growers by:

- (1) Requiring disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (2) Making it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent;
- (3) Prohibiting use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii; and
- (4) Appropriating funds for the Pesticide Subsidy Program.

Your Committee received testimony in support of this measure from three members of the Hawaii County Council, Kona Coffee Farmers Association, Kona Perfect, Rancho Aloha, Greenwell Farms Inc., Hawaii Farmers Union United, KonaLoha Farms, Hawaii's Thousand Friends, Hawaii Coffee Growers Association, Lava Rock Farm, Huahua Farm, and eighteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Restaurant Association, Hawaii Coffee Company, Hawaii Food Industry Association, and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and Hawaii Coffee Association.

Your Committee finds that coffee is one of the largest agricultural crops in the State and is a highly valued commodity across the globe. Hawaii coffees maintain their quality and reputation by maintaining their product integrity. Establishing standards that regulate the advertising and labeling of coffee grown in Hawaii maintains and protects the reputation and value of Hawaii coffees.

However, your Committee finds that while the Department of Agriculture can enforce grading and labeling of green Hawaii-grown coffee, the Department of Agriculture lacks the capability to regulate the authenticity of roasted and blended Hawaii-grown coffee labeling. According to the Department of Agriculture, there is no industry standard to determine the actual content or origin of roasted and blended coffee and no commercially available equipment for effective enforcement.

Accordingly, your Committee has amended this measure by:

- (1) Appropriating funds for purchasing equipment to test the coffee content or the percentage of coffee from green coffee beans grown in Hawaii;
- (2) Specifying that using the term "All Hawaiian" on a label or in advertising of a roasted or instant coffee is a violation if the roasted or instant coffee is not produced entirely from green coffee beans grown in Hawaii;
- (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.

Should this measure continue to progress through the legislative process, your Committee respectfully requests that consideration be given to the manner in which the Department of Agriculture could test and enforce the percentage of coffee containing coffee from green coffee beans grown 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 H.B. No. 1517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1517, 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. 97-22      Agriculture on H.B. No. 1768**

The purpose of this measure is to exempt the instream use of water for traditional and customary kalo cultivation practices from the existing process for disposition of water rights.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, County of Kauai, County of Kauai Planning Department, one member of the Hawaii County Council, Hawaii State Aha Moku, Wai'oli Valley Taro Hui, Waipā Foundation, Kua'āina Ulu 'Auamo, Kūpuna for the Mo'opuna, Ka Ohana O Na Pua, Hawai'i Alliance for Progressive Action, Hawai'i SEED, Hanalei Hawaiian Civic Club, Council for Native Hawaiian Advancement, Hawai'i Land Trust, and numerous individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.



Your Committee finds that kalo is integral to the Hawaiian culture and a staple of the Native Hawaiian diet. Water and water rights are central for taro cultivation. This measure provides support for traditional and customary kalo cultivation practices by exempting the instream use of water for these practices from the existing process for disposition of water rights.

Your Committee notes the concerns raised by the Department of Land and Natural Resources in its testimony that limiting the exemption, as provided in the measure, to "traditional and customary kalo cultivation practices" may not encompass taro farmers who would benefit from the exemption but have some commercial aspect to their operations beyond solely subsistence needs. Your Committee respectfully requests your Committee on Water and Land to include this matter in its deliberations should it hear this measure.

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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1768, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1768, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Perruso, Matayoshi, Matsumoto).

#### **SCRep. 98-22      Agriculture on H.B. No. 1844**

The purpose of this measure is to support a coordinated framework for agriculture education by appropriating funds for the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to establish one full-time equivalent agriculture education coordinator position.

Your Committee received testimony in support of this measure from the University of Hawai'i at Manoa College of Tropical Agriculture and Human Resources, Center for Getting Things Started, Hawaii Floriculture and Nursery Association, Hawai'i Farm Bureau, Grow Some Good, Hawai'i Farm to School Hui, Hawaii Farmers Union United, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that a working group established by Senate Resolution No. 80, Regular Session of 2015, requested the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to develop a coordinated framework of support for preschool through post-secondary (P-20) agriculture education and a plan for implementation. Your Committee recognizes that agriculture education is fundamental to a strong and viable agriculture industry in the State. Agriculture education informs students about pursuing career opportunities in agriculture, provides opportunities for students to cultivate their interest and skills in agriculture, and equips a new generation of individuals to strengthen Hawaii's food security and food self-sufficiency through agriculture. This measure creates an agriculture education coordinator position to support agriculture education 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. 1844 and recommends that it pass Second Reading 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. 99-22      Agriculture on H.B. No. 1864**

The purpose of this measure is to improve the ability of school food programs to serve students fresh, locally grown foods by authorizing the issuance of general obligation bonds and appropriating funds for school cafeteria upgrades and appropriating funds for cafeteria staff training.

Your Committee received testimony in support of this measure from the Department of Agriculture, Adaptations Inc., Center for Getting Things Started, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Cattlemen's Council, Grow Some Good, Hawai'i Farm to School Hui, Hawai'i Alliance for Progressive Action, Hawai'i 'Ulu Producers Cooperative, and numerous individuals. Your Committee received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that school food programs serve an essential function in providing meals to students and improving the health of Hawaii's students through nutritious and fresh, locally grown foods. Your Committee recognizes that implementing farm-to school programs requires investment in school cafeteria facilities and cafeteria staff training.

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. 1864, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1864, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 100-22      Agriculture on H.B. No. 1993**

The purpose of this measure is to modify requirements and restrictions related to the Department of Agriculture's dispositions of non-agricultural park lands to maximize the benefit to the State of these lands and to help the State achieve its economic and food production goals.

Your Committee received testimony in support of this measure from the North Shore Economic Vitality Partnership, Environmental Caucus of the Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from the Department of Agriculture. Your Committee received comments on this measure from the Department of the Attorney General, University of Hawai'i at Manoa College of Tropical Agriculture and Human Resources, Hawai'i Farm Bureau, Hawaii Cattlemen's Council, and one individual.

Your Committee finds that access to suitable land in the State is a significant barrier to entry for new farmers and ranchers, and the Department of Agriculture's non-agricultural park lands are one source of these lands. Your Committee further finds that this measure seeks to ensure continued productivity of these lands including in situations such as disability or loss of a spouse.

Your Committee has amended this measure by:

- (1) Clarifying that submittal of certain documentation to the Department of Agriculture is required in situations when a lessee seeks modification of a lease or original plan of development and utilization due to a mental or physical disability or the loss of a spouse; and

- (2) Making technical, 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. 1993, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1993, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Perruso, Matayoshi).

#### **SCRep. 101-22     Agriculture on H.B. No. 2084**

The purpose of this measure is to facilitate development of housing for farmers and farm employees who actively and currently farm on important agricultural lands by:

- (1) Allowing landowners and lessee of important agricultural lands to apply to a county to develop, construct, and maintain farm cluster housing on the lands for rent to farmers and farm employees who actively and currently farm on the land;
- (2) Including farm cluster housing under a county priority permit processing procedure for facilities on lands designated as important agricultural lands; and
- (3) Removing a restriction on farm dwellings on important agricultural lands that is stricter than what is allowed under the definition of farm dwelling in section 205-4.5(a)(4), Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Hawai'i Farm Bureau; and Maui Chamber of Commerce. Your Committee received testimony in opposition to this measure from Hawaii's Thousand Friends and one individual. Your Committee received comments on this measure from the Department of Agriculture, City and County of Honolulu Department of Planning and Permitting, Life of the Land, and one individual.

Your Committee finds that Act 233, Session Laws of Hawaii 2008 (Act 233), established incentives related to the long-term viability of agricultural use of lands. Act 233 included a provision whereby landowners with agricultural lands designated as important agricultural lands were allowed to develop, construct, and maintain farm dwellings and employee housing on the land for farmers, employees, and their immediate family members; provided the dwelling occupants were actively and currently engaged in farming. While intended as an agricultural incentive, your Committee finds that the provision imposed more restrictive standards for farm dwellings and employee housing on important agricultural lands than the existing standards for farm dwellings and employee housing on land in the agricultural land use district. This measure repeals the existing provision for farm dwellings and farm employee housing on important agricultural lands and establishes farm cluster housing as an incentive for the designation of lands as important agricultural lands, thereby facilitating the provision of certain farmer and farm employee housing to meet Hawaii's agriculture industry needs.

Your Committee has amended this measure by:

- (1) Requiring that the enactment of any county ordinance to allow farm cluster housing on important agricultural lands is conditioned upon at least one public hearing on the proposed ordinance prior to adoption;
- (2) Specifying that each farm housing cluster unit shall not exceed eight hundred feet;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2084, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2084, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Perruso, Matayoshi).

#### **SCRep. 102-22     Agriculture on H.B. No. 2305**

The purpose of this measure is to appropriate funds for the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources to study diseases affecting the production of red ginger on Oahu and the neighbor islands and to develop mitigation strategies for any identified diseases.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Hawaii Farm Bureau Federation, East O'ahu County Farm Bureau, Hawaii Tropical Flowers & Foliage Association, Hawaii Crop Improvement Association, Redwater Farm, and four individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and University of Hawaii at Manoa College of Tropical Agriculture and Human Resources.

Your Committee finds that the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources' scientists have been able to identify three different viruses and one fungal pathogen that are infecting ornamental ginger, a highly valued plant that can be used as a shrub or as a cut flower. Department of Agriculture scientists have also identified the presence of fourteen additional pathogens. Your Committee finds that plant viruses and pathogens are a primary threat not only to red ginger but also to other agricultural crops and species, thereby impacting Hawaii's agriculture, environment, and economy. This measure seeks to appropriate funds for research on diseases affecting the production of red ginger in the State and to mitigate the harmful spread of plant diseases affecting red ginger.

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. 2305 and recommends that it pass Second Reading and be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Perruso, Matayoshi).

#### **SCRep. 103-22     Agriculture on H.B. No. 2319**

The purpose of this measure is to require the Department of Agriculture to be responsible for all neighbor island inspection permit fees for service animals that are being transported for release at Kona, Kahului, or Lihue airports.

Your Committee received testimony in support of this measure from the American Kennel Club. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the Department of Agriculture currently allows private veterinarians to apply and receive approval to conduct inspections of dogs and cats arriving at the Kahului Airport, Ellison Onizuka Kona International Airport at Keahole, and Lihue Airport. However, your Committee further finds that the Department of Agriculture does not regulate inspection fees charged by these private entities, requiring residents and visitors who enter the State through those airports to pay an inspection fee. Your Committee notes that this is only because the Department of Agriculture does not have staff on any island except for Oahu. This measure provides equality amongst all airports by having the Department of Agriculture be responsible for all neighbor island inspection permit fees.

Your Committee has amended this measure by:

- (1) Inserting an appropriation of an unspecified amount for the Department of Agriculture to cover the costs of this measure;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2319, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2319, 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 (Perruso, Matayoshi).

#### **SCRep. 104-22     Agriculture on H.B. No. 1726**

The purpose of this measure is to:

- (1) Amend definitions relating to exemptions from building permits and building codes for certain agricultural buildings and structures;
- (2) Require certain agricultural buildings and structures that are exempt from building permits and building codes to be consistent with an approved agricultural farm plan for the property;
- (3) Require owners or occupants of agricultural buildings that are exempt from building permits and building codes to make the building available for inspection by a county building official at any time; and
- (4) Impose penalties and fines on the owner or occupant of the agricultural building for failing to allow inspection by a county building official after appropriate notice is given.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau; East O'ahu County Farm Bureau; Living Circle Farms Hawaii; Sunshine Farms, LLC; Hawai'i Medicinal, LLC; Pueo Orchards; and five individuals. Your Committee received comments on this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawaii Cattlemen's Council, and Hawaii Floriculture and Nursery Association.

Your Committee recognizes that regulatory oversight is essential to ensure that agricultural buildings and structures exempt from building code and building permit requirements are consistent with the purpose and intent of the exemptions and agricultural use purposes. This measure makes agricultural farm plans a central part in regulating buildings and structures that are inconsistent with the permitted uses of the land.

Your Committee has amended this measure by:

- (1) Requiring an owner or occupant that intends to utilize the building permit and building code exemptions to submit to the appropriate county planning department an agricultural farm plan, including the size, type, location, and uses of the proposed building, structure, related appurtenances, or development;
- (2) Reverting to the provision in existing statute that no electrical power or plumbing system shall be connected to a building or structure exempt from building permit and building code requirements without first obtaining a county electrical or plumbing permit and conforming with installation and inspection licensing requirements;
- (3) Amending the process for county fire departments and county building permitting agencies to investigate exempt agricultural buildings for building permit and building code exemption compliance;
- (4) Reverting to the definitions of "agricultural building", "dwelling", and "nonresidential building or structure" as they currently exist in statute;
- (5) Deleting the new definitions of "farm production building" and "greenhouse";
- (6) Amending the definition of "agricultural farm plan", including by changing the entity responsible for approving the plan, and removing specific inventory and resources to be considered in an agricultural farm plan;
- (7) Reverting to the provision in existing statute that the State or county is not liable for claims arising from the construction of agricultural structures exempt from the building permit and building code permitting process;
- (8) Clarifying that an agricultural building exempt from building permits and building codes must be consistent with an agricultural farm plan for the property;
- (9) Deleting the provision prohibiting certain agricultural buildings or structures from containing identified features;
- (10) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (11) Making technical, 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. 1726, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1726, 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. 105-22     Education on H.B. No. 2129**

The purpose of this measure is to appropriate funds to the Department of Education for fiscal year 2022-2023 for twenty-one additional hours of professional development for teachers.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, two individuals, and numerous principals represented by the Principal in Residence of the Department of Education's Leadership Institute. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that professional development for teachers is a vital way to ensure teachers can use the best, research-based educational practices within their classrooms. Your Committee further finds that in the collectively-bargained agreement between the Board of Education and the exclusive representative of bargaining unit (5), representing teachers, there was a memorandum of understanding that allowed for twenty-one additional hours to be added to the teachers' workday without students. These twenty-one hours were to be used for job-embedded professional development to provide benefits, including a formalized structure for organizing training and learning time, reducing the need for substitute teachers, and eliminating teacher absences from classes for training. However, this memorandum of understanding expired on June 30, 2021, and because funding was not available, the memorandum of understanding was not renewed. This measure will provide the funding for the twenty-one hours for teachers to use for professional development.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee on Education respectfully requests that it consider appropriating \$16,600,000 for fiscal year 2022-2023 for twenty-one hours of professional development for teachers.

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. 2129, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2129, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Belatti, Ohno, Quinlan).

#### **SCRep. 106-22 Water & Land on H.B. No. 1653**

The purpose of this measure is to protect the State's aquatic resources by:

- (1) Authorizing the imposition of a criminal fine for violations of aquatic resources laws;
- (2) Establishing a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (3) Establishing a criminal fine structure on a per-specimen basis for violations involving aquatic life; and
- (4) Authorizing the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine.

Your Committee received testimony in support of this measure from Friends of Hanauma Bay, Pet Industry Joint Advisory Council, Center for Biological Diversity, For the Fishes, For Forgotten Felines, and ten individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and HFACT.

Your Committee finds that the precious aquatic resources of Hawaii deserve greater protection from poachers and others who cause damage or harm to the environment.

Your Committee has amended this measure by:

- (1) Deleting the criminal fines for violations involving aquatic resources laws;
- (2) Modifying the general administrative penalties under section 187A-12.5, Hawaii Revised Statutes, and the general penalty under section 187A-13, Hawaii Revised Statutes, to take into account the retail market value of the aquatic life that was taken or damaged;
- (3) Establishing additional, tiered administrative fines for violations of fishing rights and regulations, commercial fishing laws, and marine life conservation program laws that take into account the retail market value of the aquatic specimen that was taken or damaged;
- (4) Authorizing the Department of Land and Natural Resources to recommend to the court that defendants be restricted from entering specific geographical areas where aquatic resources may be found, including ocean waters, estuaries, rivers, and streams;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1653, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1653, 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 (Kong, McDermott).

#### **SCRep. 107-22 Culture, Arts, & International Affairs on H.B. No. 2475**

The purpose of this measure is to:

- (1) Establish July 31 of each year as the state holiday La Hoihoi Ea; and
- (2) Remove Election Day as a designated state holiday.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Collective Bargaining, Common Cause Hawaii, and Department of Human Resources of the City and County of Honolulu.

Your Committee finds that there is great interest in observing and celebrating the history of Hawaii. Your Committee further finds that there is significant concern about the removal of Election Day as an observed state holiday and the impact that removal may have on the ability of the State's residents to exercise their right to vote.

Therefore, your Committee has amended this measure by:

- (1) Removing the amendment that would have repealed Election Day as an observed state holiday;
- (2) Deleting language establishing La Hoihoi Ea as an observed state holiday and replacing it with language establishing La Hoihoi Ea as a special day of observance;
- (3) Changing the effective date to July 1, 2044, 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2475, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2475, 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, none.

#### **SCRep. 108-22     Transportation on H.B. No. 1953**

The purpose of this measure is to provide the Department of Transportation with more flexibility and discretion to address substantial hardship situations that impact airport concession contracts.

Your Committee received testimony in support of this measure from the Airport Concessionaires Committee and one individual. Your Committee received testimony in opposition to this measure from the Airlines Committee of Hawaii. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that airport concessions, like other local businesses in the State, have suffered devastating losses due to the coronavirus disease 2019 pandemic. Additionally, airport concessions revenues are critical to the operations of the airports in the State, which serves millions of travelers per year. This measure ensures that the Department of Transportation is afforded the flexibility and discretion to grant relief to airport concessions in times of substantial hardship and unexpected circumstances.

Your Committee has amended this measure by:

- (1) Removing all references to "verbal agreement";
- (2) Deleting language that would have allowed an anticipated significant hardship as a condition for grant recoupment by airport concessions;
- (3) Giving the Department of Transportation discretion to require, as a condition for grant recoupment, an airport concession to recall employees who were laid off, under certain conditions;
- (4) Reducing the maximum number of years of the term of any contract for airport concessions from twenty-five to fifteen;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1953, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1953, 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 (LoPresti, Takumi).

#### **SCRep. 109-22     Transportation on H.B. No. 1619**

The purpose of this measure is to, beginning July 1, 2023, establish peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, GEICO, and American Property Casualty Insurance Association. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice and Avail. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Turo.

Your Committee finds that peer-to-peer car sharing has emerged as a new car sharing model in the rental car marketplace, allowing vehicle owners to rent out their vehicles directly to consumers through online platforms. However, peer-to-peer car-sharing programs do not have established requirements for insurance coverage. This measure ensures that vehicles in these car sharing programs are properly insured specifically for peer-to-peer car-sharing purposes.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "car-sharing termination time";
- (2) Deleting language that would have led to unintended gaps in insurance coverage due to general business use;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1619, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1619, 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 (LoPresti, Takumi).

#### **SCRep. 110-22     Economic Development on H.B. No. 1516**

The purpose of this measure is to prohibit as an unfair and deceptive practice the advertisement of a good or service in the absence of licenses or permits for the good or service, to the extent the licenses or permits are required by applicable state and county laws.

Your Committee received testimony in support of this measure from the Hawaii Funeral & Cemetery Association, Inc.; Mililani Group, Inc., d.b.a. Mililani Memorial Park and Mortuary; and two individuals.

Your Committee finds that existing law is silent regarding a person who wishes to advertise a good or service but does not actually possess a license or permit for the sale of the good or provision of the service. Your Committee believes that prohibiting a person from advertising a good or service, unless the person has the applicable license or permit to sell that good or provide that service, will ensure that residents and visitors of the State are purchasing legal goods and 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 H.B. No. 1516 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. 111-22 Economic Development on H.B. No. 1592**

The purpose of this measure is to adopt the Interstate Compact to Phase Out Corporate Welfare.

Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association.

Your Committee finds that corporate welfare and company-specific subsidies fuel business inequality. Corporate welfare is also known as one of the least effective and efficient uses of taxpayer dollars. This measure attempts to set up a framework in the State to end the practice of corporate welfare, thereby creating an equal playing field for all businesses and utilizing taxpayer dollars more appropriately.

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. 1592 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, 6. Noes, 1 (Okimoto). Excused, 1 (Belatti).

#### **SCRep. 112-22 Economic Development on H.B. No. 1407**

The purpose of this measure is to:

- (1) Clarify that sales to a licensed retail merchant, jobber, or other licensed seller for resale are only eligible for the wholesale tax rate if the resale is subject to the highest general excise rate; and
- (2) Allow the resale of a service or tangible personal property that is subject to the highest general excise tax rate to be eligible for the wholesale tax rate under certain circumstances.

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 Chamber of Commerce Hawaii, Hawai'i Pacific Health, The Queen's Health Systems, and Walgreen Co. Your Committee received comments on this measure from the Hawaii Health Systems Corporation Corporate Board of Directors, Tax Foundation of Hawaii, and Healthcare Association of Hawaii.

Your Committee finds that existing law provides certain wholesalers a lower general excise tax rate due to inadvertent elimination of language in the general excise tax law that occurred over the past couple decades. Your Committee believes that it was the original intent of the Legislature to require within a transaction chain a sale at the highest general excise tax rate in order for a taxpayer to be eligible for the wholesale general excise tax rate. This measure clarifies when the wholesale general excise tax rate is applicable for certain resale transactions.

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. 1407 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; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Belatti).

#### **SCRep. 113-22 Economic Development on H.B. No. 1960**

The purpose of this measure is to clarify the general excise tax exemption for unrelated trade or business activities of certain nonprofit organizations.

Your Committee received testimony in support of this measure from Hawai'i Children's Action Network Speaks!, Hawaii Youth Services Network, The Queen's Health System, Hawai'i Health & Harm Reduction Center, Mental Health America of Hawaii, Hawai'i Alliance of Nonprofit Organizations, Read To Me International Foundation, Parents And Children Together, Hawai'i Pacific Health, H.T. Hayashi Foundation, Big Brothers Big Sisters Hawaii, Grow Some Good, Mana Maoli, Hawaiian Humane Society, Guide Dogs of Hawai'i, and one individual. 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 nonprofit organizations are currently exempt from federal income tax. Similar to the federal government, Hawaii provides a general excise tax exemption for income generated by a nonprofit organization's charitable activities. However, your Committee notes that unlike the federal government, Hawaii taxes activities that are used to produce income, even though the income may be in the furtherance of exempt activities, such as fundraisers. This measure aligns the State's general excise tax exemptions with the federal income tax code by clarifying the type of activity that would be taxable under state 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 H.B. No. 1960 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. 114-22 Economic Development on H.B. No. 1828**

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten members to three, with at least two required for quorum;
- (2) Establishing that the members are full-time employees, with compensation based on a percentage of the salary of the Director of Taxation;

- (3) Authorizing members to validate the board's actions with a concurrence of the majority;
- (4) Clarifying that board meetings are contested case hearings and specifying notice requirements; and
- (5) Appropriating funds for the Department of Taxation to establish three full-time equivalent Taxation Board of Review members and two full-time equivalent staff positions.

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

Your Committee finds that existing law does not require the Chairperson of the Taxation Board of Review to have extensive experience with taxation and litigation or public accounting, all of which are necessary to ensure a fair tax appeals process. This measure would greatly assist the Department of Taxation with its backlog of tax appeals by requiring the Chairperson of the Taxation Board of Review to have such experience, and compensate the members appropriately, thereby ensuring that Hawaii's taxpayers have their tax appeal issues resolved fairly and expeditiously.

Your Committee has amended this measure by:

- (1) Clarifying that the existing volunteer members of the Taxation Board of Review, whose terms are not set to expire until after the effective date of this measure shall continue to serve until the Governor has appointed the new paid board; and
- (2) Making technical, 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. 1828, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1828, 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. 115-22 Economic Development on H.B. No. 2437**

The purpose of this measure is to establish an income tax credit for physicians, osteopathic physicians, and nurses who are licensed and actively practicing in the State.

Your Committee received testimony in support of this measure from the Hawaii-American Nurses Association, Hawaii Nurses Association – OPEIU Local 50, and two individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawai'i State Center for Nursing, and Tax Foundation of Hawaii.

Your Committee finds that in Hawaii, health care professionals are in high demand yet low supply, particularly on the neighbor islands and in rural and medically underserved areas. Supporting physicians and nurses through income tax credits, such as the one proposed by this measure, is a potential solution that could improve recruitment and retention of needed health care professionals 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 H.B. No. 2437 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, 7. Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 116-22 Economic Development on H.B. No. 2219**

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; and
- (2) Appropriate funds for the Bank of the State of Hawaii Working Group.

Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Hawaii Bankers Association, and two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that as the State continues to face 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 exploring possible alternatives.

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. 2219 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; Ayes with Reservations (Belatti, Okimoto). Noes, 1 (Onishi). Excused, none.

#### **SCRep. 117-22 Economic Development on H.B. No. 1962**

The purpose of this measure is to:

- (1) Require the Department of Hawaiian Home Lands to study the feasibility of, and revenue generation from, limited casino gaming and address the potential public health and safety concerns arising from limited casino gaming;
- (2) Require a report to the Legislature; and
- (3) Appropriate funds for the study.

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 Budget and Finance.

Your Committee finds that residents of Hawaii generate hundreds of millions of dollars in economic activity from gambling in other jurisdictions across the nation. Your Committee believes that a limited casino could have untapped revenue generation potential that would help the State recover from losses experienced during the COVID-19 pandemic. Your Committee further finds that with over twenty-eight thousand native Hawaiians awaiting homestead leases, revenue generated by a limited casino could significantly help put native Hawaiian families in homes. Your Committee acknowledges the social

concerns that come with casinos and gambling; however, your Committee believes that innovative solutions to improve economic development in the State and reduce the ever-growing waitlist for Hawaiian homestead leases are needed. Your Committee therefore finds that this measure merits further discussion as it continues through the legislative process.

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. 1962, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1962, H.D. 1, and be referred to your Committees on Judiciary & Hawaiian Affairs and Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 118-22 Economic Development on H.B. No. 2177**

The purpose of this measure is to:

- (1) Expand the Department of Taxation's authority to require electronic filings;
- (2) Require certain tax return preparers to electronically file returns;
- (3) Repeal language that authorized the Director of Taxation to require electronic funds transfer or electronic filing if the federal government required a person to do so;
- (4) Remove the timeliness requirement of the electronic funds transfer penalty;
- (5) Remove the authority of the Department of Taxation to charge for certified copies of tax clearances;
- (6) Clarify tax clearances for liquor license holders;
- (7) Increase the aggregate cap on late filing penalties;
- (8) Create an additional penalty category for late filing for certain informational returns where no tax is due;
- (9) Clarify the interest calculations for taxes paid pending appeal; and
- (10) Specify that a partnership, estate, or trust is liable for the required withholding from a nonresident taxpayer's distributive share of income.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that various sections of the state tax administration law are antiquated and need to be updated to ensure that the Department of Taxation can efficiently and effectively carry out its duties. This measure will increase tax compliance and streamline administrative processes, thereby providing taxpayers more clarity while minimizing their exposure to unexpected penalties.

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. 2177, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2177, 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. 119-22 Economic Development on H.B. No. 2178**

The purpose of this measure is to:

- (1) Require laws that enact, modify, or extend the availability of a tax expenditure to contain specific information, revenue estimates, and analyses before becoming law; and
- (2) Authorize the disclosure of certain tax expenditure information.

Your Committee received testimony in support of this measure from the Department of Taxation and Civil Beat Law Center for the Public Interest. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that tax expenditures are often enacted based on anticipated benefits, such as an increase in gross domestic product, job creation, and enhanced tax revenue. Your Committee further finds that the State Auditor is required under law to review tax expenditures on a periodic basis. However, this has proven to be difficult as the purpose of enacting tax expenditures and the anticipated benefits to the State are not always clear. This measure will resolve this issue by requiring all laws that enact, modify, or extend tax expenditures to lay out the purpose and anticipated benefits.

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. 2178, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2178, 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. 120-22 Economic Development on H.B. No. 2227**

The purpose of this measure is to:

- (1) Rename the Hawaii Made program to the Made in Hawaii program;
- (2) Transfer the enforcement of the "Made in Hawaii" trademark from the Department of Agriculture to the Department of Commerce and Consumer Affairs; and
- (3) Appropriate funds for the Department of Business, Economic Development, and Tourism to promote the Made in Hawaii brand.



Your Committee received testimony in support of this measure from the Maui Chamber of Commerce. 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; Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Hawaii Cattlemen's Council, Inc.; and Hawaii'i Farm Bureau.

Your Committee finds that Act 2, Special Session Laws of Hawaii 2021, transferred the administration of the Hawaii Made program for manufactured products and the "Hawaii Made" trademark from the Department of Agriculture to the Department of Business, Economic Development, and Tourism. However, enforcement of the program was left to the Department of Agriculture. Your Committee believes that the Department of Commerce and Consumer Affairs may be better suited to enforce compliance with this program.

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. 2227, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2227, 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. 121-22 Corrections, Military, & Veterans on H.B. No. 1650**

The purpose of this measure is to:

- (1) Create a new program called "project reset", which will help offenders secure post-release housing, including transitional housing and permanent housing, to support the offender's reentry, rehabilitation, and employment prospects; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii'i Correctional System Oversight Commission, Office of the Public Defender, City and County of Honolulu Department of the Prosecuting Attorney, Hawaii'i Health & Harm Reduction Center, and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Hawaii Substance Abuse Coalition.

Your Committee finds that offenders exiting correctional facilities are at risk of becoming homeless but are not aware of or eligible for many services afforded to the homeless. Assisting offenders to obtain post-release housing as they transition back into the community will provide a measure of stability and help to minimize recidivism.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1650, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1650, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 122-22 Corrections, Military, & Veterans on H.B. No. 1676**

The purpose of this measure is to require that the sexual orientation and gender identity of persons processed for crimes be included in the systems of identification, if disclosed.

Your Committee received testimony in support of this measure from the Hawaii'i State Commission on the Status of Women, Hawaii Health & Harm Reduction Center, Hawaii Substance Abuse Coalition, and four individuals. Your Committee received comments on this measure from the Judiciary, Department of the Attorney General, and Stonewall Caucus for the Democratic Party of Hawaii'i.

Your Committee finds that this measure will help to standardize data collection on gender across the State and acknowledge transgender and non-binary categories in data reporting. Your Committee further finds that confidentiality concerns warrant including a limitation on the use of the data to ensure the data is kept confidential and used for statistical research and data analysis purposes only.

Your Committee has amended this measure by:

- (1) Requiring that sexual orientation and gender identity information collected under this measure remain confidential and be used strictly for research purposes;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that there would be a cost to program and implement changes to collect the data subject to this measure and requests that subsequent committees hearing this measure consider incorporating an appropriation for system updates.

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. 1676, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1676, 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. 123-22 Corrections, Military, & Veterans on H.B. No. 1739**

The purpose of this measure is to clarify that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Common Cause Hawaii, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, American Civil Liberties Union of Hawai'i, and one individual.

Your Committee finds that this measure will correct language that was incorporated into chapter 353L, Hawaii Revised Statutes, when the Hawaii Correctional System Oversight Commission was first established by Act 179, Session Laws of Hawaii 2019. At the time, the commission was charged with various oversight responsibilities, including ensuring that the comprehensive offender reentry system under chapter 353H, Hawaii Revised Statutes, is working properly to provide programs and services that result in the timely release of inmates on parole.

Your Committee finds that the Hawaii Paroling Authority establishes minimum terms of imprisonment when an inmate becomes eligible for release into the community under parole supervision. The Department of Public Safety is required to develop and implement comprehensive reentry plans to help each inmate make the difficult transition from the prison setting to community life. As written, section 353L-3, Hawaii Revised Statutes, inadvertently provides the commission's oversight of "programs and services that result in the timely release of inmates on parole when the maximum terms have been served". Accordingly, your Committee finds this one-word housekeeping amendment to change "maximum" to "minimum" is necessary.

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. 1739 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 (McDermott).

#### **SCRep. 124-22 Corrections, Military, & Veterans on H.B. No. 1776**

The purpose of this measure is to:

- (1) Mandate that there be a community-based work furlough program for all incarcerated women in the State; and
- (2) Appropriate funds to the Department of Public Safety to extend the contract for community-based work furlough for women and ensure that it is not only continued but expanded to all incarcerated women.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Hawai'i State Commission on the Status of Women, Common Cause Hawaii, Women's Prison Project, Hawai'i Friends of Restorative Justice, YWCA O'ahu, Hawaii Substance Abuse Coalition, Hawaii Health & Harm Reduction Center, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and American Civil Liberties Union of Hawai'i.

Your Committee finds that this measure will help the State transition to a rehabilitative and therapeutic model of corrections. The mandate for community-based work furlough programs for incarcerated women in Hawaii is consistent with the requirements in section 353H-3, Hawaii Revised Statutes, that the Department of Public Safety develop a "comprehensive network of transitional programs to address the needs of individuals exiting the correctional system" and ensure that "all reentry programs are gender-responsive". Such a network promotes community safety by facilitating the adjustment from the highly structured prison setting to independent living and works best when located in the communities to which the inmates will return.

Your Committee has amended this measure by:

- (1) Removing the mandate that a community-based work furlough program be made available to all female offenders, in recognition that this option may not be the best option for each incarcerated woman;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1776, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1776, 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. 125-22 Corrections, Military, & Veterans on H.B. No. 1778**

The purpose of this measure is to require:

- (1) The Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders; and
- (2) The Department of Public Safety to submit a report to the Legislature on the Offender Reentry Office's compliance with the requirement in paragraph (1).

Your Committee received testimony in support of this measure from the Women's Prison Project, Hawaii Health & Harm Reduction Center, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the development of a risk needs assessment tool that focuses on the discrete needs of female offenders will assist the Offender Reentry Office in identifying programs and services that are more helpful to females as they reintegrate into society.

Your Committee has amended this measure by changing the effective date to July 1, 3000, 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. 1778, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1778, 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. 126-22 Corrections, Military, & Veterans on H.B. No. 1779**

The purpose of this measure is to appropriate funds for the second year of the education program for imprisoned women.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii Health & Harm Reduction Center, Women's Prison Project, Hawai'i Friends of Restorative Justice, Community Alliance on Prisons, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the education program for imprisoned women is a program to train incarcerated women to be general education development, or GED, tutors for their peers; provide college correspondence courses for women in the Women's Community Correctional Center; and provide reentry and transition services for women who wish to continue their education post incarceration.

Your Committee also finds that, during the first year of the program, five GED tutors were successfully trained and certified, and as of January 2022, nine women at the Women's Community Correctional Center had their GED diplomas. Of the nine graduates, six went on to enroll in post-secondary programs earning college credits.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$250,000 for the second year of the education program for imprisoned women.

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. 1779, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1779, 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. 127-22 Corrections, Military, & Veterans on H.B. No. 1780**

The purpose of this measure is to appropriate monies for residential programs that allow minor children to remain with their mothers while participating in the program, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, to reduce the risk of trauma and multigenerational incarceration.

Your Committee received testimony in support of this measure from the Judiciary, Community Alliance on Prisons, Women's Prison Project, Hawai'i Friends of Restorative Justice, Hawaii Substance Abuse Coalition, and two individuals. Your Committee received comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that, as of 2018, seventy-five percent of incarcerated women in Hawaii had children. Your Committee further finds that studies have shown that when women in the criminal justice system are separated from their children, the experience has devastating impacts on the children's mental health and development and can increase the risk of multigenerational incarceration. The separation also has a traumatic effect on mothers.

Your Committee also finds that, although the number of programs that allow minors to remain with their mothers while in treatment is limited, there is a need for these programs. Funding to the Judiciary will provide a resource for these programs to increase operations and bed space.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As this measure proceeds through the legislative process, your Committee requests that the liability concerns raised by the Department of Public Safety be considered and addressed.

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. 1780, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1780, 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. 128-22 Corrections, Military, & Veterans on H.B. No. 2257**

The purpose of this measure is to appropriate funds for reentry planning circles for incarcerated women.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Women's Prison Project, Hawai'i Friends of Restorative Justice, Hawaii Health & Harm Reduction Center, Community Alliance on Prisons, and one individual. Your Committee received comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that reentry planning circles provide an opportunity for an incarcerated person to make meaningful amends, set goals, and plan for the future. Your Committee further finds that incarcerated persons who participate in reentry planning circles before leaving prison have significantly lower recidivism rates.

Your Committee has amended this measure by:

- (1) Deleting the reference to the number of incarcerated women to be served by reentry planning circles;
- (2) Changing the appropriation to an unspecified amount;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$200,000 for the reentry planning circles for incarcerated women.

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. 2257, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2257, 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. 129-22 Corrections, Military, & Veterans on H.B. No. 2258**

The purpose of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission to provide oversight over state correctional facilities that incarcerate women, receive and investigate complaints from incarcerated women, monitor the criminal justice system's progress in implementing reforms, and monitor programs and data that are important to ensuring successful outcomes for women in the correctional system; and
- (2) Appropriate funds for the Commission's operations, including the hiring of necessary staff.

Your Committee received testimony in support of this measure from the Women's Prison Project and Hawaii Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, and Department of Budget and Finance.

Your Committee finds that the duties and responsibilities that would be assigned to the Women's Corrections Implementation Commission are encompassed by the statutory responsibilities of the Hawai'i Correctional System Oversight Commission but are specifically targeted to incarcerated females. In addition, the Women's Corrections Implementation Commission would be attached to the Department of Public Safety rather than the Department of the Attorney General.

Your Committee further finds that the oversight provided by the Women's Corrections Implementation Commission would focus on effective gender-responsive enhancements and reforms.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, 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. 2258, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2258, 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. 130-22 Corrections, Military, & Veterans on H.B. No. 2309**

The purpose of this measure is to reduce recidivism rates in the State and increase productivity in affected communities by appropriating funds for the development and maintenance of diversion and reentry programs and services within the State.

Your Committee received testimony in support of this measure from the Maui Multicultural Advisory Council, Community Alliance on Prisons, Women's Prison Project, Hawaii Substance Abuse Coalition, Ka Ipu Ha'a, Hawai'i Health & Harm Reduction Center, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Public Safety.

Your Committee finds that effective diversion and reentry programs increase community safety and provide needed treatment, education, skills, and support for offenders transitioning back into the community. Your Committee further finds that certain populations are not under the custody or control of the Department of Public Safety, and to provide a more comprehensive approach, appropriations should also be made to the Judiciary and Hawaii Paroling Authority to serve those individuals previously incarcerated under their respective jurisdictions.

Your Committee has amended this measure by:

- (1) Adding appropriations to the Judiciary and Hawaii Paroling Authority for the development and maintenance of diversion, reentry, and rehabilitation programs and services for offenders falling under their respective jurisdictions;
- (2) Increasing flexibility by including rehabilitation as a type of program or service for which the appropriations under this Act may be used;
- (3) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2309, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2309, 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. 131-22 Corrections, Military, & Veterans on H.B. No. 2310**

The purpose of this measure is to:

- (1) Establish within the Department of Public Safety's Offender Reentry Office a five-year Recidivism Prevention Pilot Program, consisting of three components: a housing voucher program, child care voucher program, and income tax credit for employers to assist the reentry efforts of certain individuals who exited the Women's Community Correctional Center, for two years after exit;
- (2) Establish five full-time equivalent Transition Navigator positions within the Department of Public Safety's Offender Reentry Office; and
- (3) Appropriate funds for the pilot program and positions.

Your Committee received testimony in support of this measure from the Hawai'i Friends of Restorative Justice, Women's Prison Project, Hawaii Health & Harm Reduction Center, and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Public Safety, and Department of Budget and Finance.

Your Committee finds that the housing and child care voucher programs proposed by this measure would provide two years of transitional support for women exiting the Women's Community Correctional Center who meet certain income and other criteria, while the income tax credit would incentivize employers to hire them. The pilot program would thereby assist with some basic needs to promote stability for women exiting the correctional system and their families and prevent recidivism. Your Committee further finds that allowing these three components of the pilot program to continue for five years will provide a basis for evaluating how these benefits affect recidivism rates.

Your Committee has amended this measure by:

- (1) Placing the pilot program and associated funding and positions within the Judiciary, rather than the Department of Public Safety;
- (2) Requiring the Judiciary to inform the Department of Taxation of the identity of program participants and their employers;
- (3) Authorizing the Department of Labor and Industrial Relations to provide the Department of Taxation with the information necessary to verify all claims for the new tax credits;
- (4) Specifying the taxable years to which the tax credit will apply;
- (5) Adding a repeal date;
- (6) Changing the effective date to July 1, 3000, 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2310, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2310, 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. 132-22 Corrections, Military, & Veterans on H.B. No. 2311**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Office of Hawaiian Affairs, to create a rehabilitation program for prison inmates that puts an emphasis on preserving Native Hawaiian values and cultural practices; and
- (2) Appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Public Safety, Opportunity Youth Action Hui, Hawaii Health & Harm Reduction Center, Community Alliance on Prisons, Women's Prison Project, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Hawaiian Affairs.

Your Committee finds that the Native Hawaiian population is disproportionately represented in the criminal justice system. Creating a rehabilitation program that specifically addresses Native Hawaiian values and cultural practices is one way to help inmates feel less disenfranchised and support their reintegration into society upon release.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee notes that the Office of Hawaiian Affairs has requested further consultation to address the intention and possible implementation of this measure. Your Committee encourages the Department of Public Safety, community groups, and state and county agencies to consult with the Office of Hawaiian Affairs on this measure.

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. 2311, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2311, 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. 133-22 Corrections, Military, & Veterans on H.B. No. 2313**

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop a pretrial female risk and needs assessment tool and conduct internal pretrial female risk and needs assessments to measure the female offender's risk of flight, criminal conduct, or harm to the community; and
- (2) Require the pretrial female risk and needs assessment tool to consider factors important to women when considering their risk to reoffend and treatment needs.

Your Committee received testimony in support of this measure from the Women's Prison Project, Hawai'i Friends of Restorative Justice, and Hawaii Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that women's pathways to incarceration, risk factors for recidivism, and rehabilitation needs differ from those of men and are not adequately identified or addressed by assessment tools that were originally developed for males in the criminal justice system. Parenting stress, lack of childcare, and the need for single mothers to support their family are among risk factors and needs not identified in non-gender-responsive assessments.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, 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. 2313, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2313, 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. 134-22 Government Reform on H.B. No. 1423**

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 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, Green Party of Hawai'i, Common Cause Hawaii, League of Women Voters of Hawaii, and seven individuals.

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 or large political action committees. The increase in the amount of the fine is necessary in enforcement cases against Super PACs.

Your Committee has amended this measure by:

- (1) Changing the fine to an unspecified amount; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Should your Committee on Judiciary and Hawaiian Affairs deliberate on this measure, your Committee on Government Reform respectfully requests that it consider increasing the fine for campaign spending law violations against certain noncandidate committees that make only independent expenditures to \$10,000 or more, as these fines would mainly affect large political action committees who have a large amount of funds and resources available. A \$5,000 fine against a large political action committee, as originally proposed in this measure, may not be a sufficient enough deterrent.

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. 1423, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1423, 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, Ward).

**SCRep. 135-22 Government Reform on H.B. No. 1424**

The purpose of this measure is to repeal certain cross-references in the campaign spending law that refer to language that was previously repealed.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that this bill is a housekeeping measure that will repeal references to provisions in the Hawaii Revised Statutes that were repealed in 2018.

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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1424, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1424, 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, Ward).

**SCRep. 136-22 Government Reform on H.B. No. 1568**

The purpose of this measure is to amend the law that requires all state departments to ensure that a certain percentage of food purchased consists of fresh local agricultural products or local value-added, processed, agricultural, or food products to:

- (1) Apply only to the Department of Education, Department of Health, Department of Public Safety, and University of Hawaii System; and
- (2) Require each department and the University of Hawaii System to annually report to the Legislature on its progress toward meeting the benchmarks.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association; Hawai'i Farm Bureau; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Hawaii Coffee Association; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety and one individual. Your Committee received comments on this measure from the Department of Health, Hawaii Food+ Policy Internship, Hawai'i Farm to School Hui, and one individual.

Your Committee finds that the Department of Education, Department of Health, Department of Public Safety, and University of Hawaii System are the state entities that purchase some of the greatest amounts of agricultural products. Your Committee recognizes that the Department of Defense is also a state entity that purchases a large amount of agricultural products through the Youth Challenge Academy. In fiscal year 2021, the total meal cost for the Department of Defense was around \$630,000. Your Committee believes it is appropriate to also include the Department of Defense in the requirements to meet the local food purchasing benchmarks and submit reports.

Your Committee notes that the University of Hawaii purchases a large amount of produce for its offered meal services and programs. Your Committee specifically notes that the intent of this measure is not meant to capture staff meals that are separate from the University's offered meal services and programs.

Your Committee has amended this measure by:

- (1) Including the Department of Defense among the state agencies required to ensure that a certain percentage of food purchases consist of fresh local agricultural products or local value-added, processed, agricultural, or food products;
- (2) Amending Section 1 of Act 176, Session Laws of Hawaii 2021 (Act 176), to:
  - (A) Include information about the Department of Defense and the spending for its Hawaii National Guard Youth Challenge Academy;
  - (B) Amend the purpose of Act 176; and

(B) Clarify that the intent of Act 176 is not meant to capture other staff meals separate from the University of Hawaii's offered meal services or programs; 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 H.B. No. 1568, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1568, 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, 1 (Ward).

#### **SCRep. 137-22 Government Reform on H.B. No. 1794**

The purpose of this measure is to require the Department of Health to:

- (1) By January 1, 2023, implement standardized quality metrics to track and address health care processes or outcomes applicable to improving the quality of care and targeting improvements in outcomes for patients having opioid use disorders;
- (2) Implement value-based purchasing based on these standardized quality metrics by July 1, 2023, to be applicable to all state purchases of health and human services entered into after July 1, 2023;
- (3) Collect data from health service providers on levels of opioid prescriptions, use of opioids in health care settings, and patient interactions for opioid use disorders; and
- (4) Annually report to the Legislature on the compiled data and any updates on the implementation of value-based purchasing.

Your Committee received testimony in opposition to this measure from the Hawaii Substance Abuse Coalition and one individual. Your Committee received comments on this measure from the Department of Health and Hawaii Medical Service Association.

Your Committee finds that the implementation of value-based purchasing, based on standardized quality metrics to improve the quality of care for patients having opioid use disorders, is a key component in addressing helping patients with opioid use disorder. However, your Committee recognizes that the underlying infrastructure for the value-based purchasing must be built first. Your Committee also believes that further research is needed to understand and address any major shifts in operations and clinical models that substance use disorder treatment providers may need before adjusting to efforts to incentivize new demands for higher quality of care.

Accordingly, your Committee has amended this measure by:

- (1) Delaying the development and implementation of the standardized quality metrics until January 1, 2024;
- (2) Delaying the implementation of value-based purchasing based on the standardized quality metrics until July 1, 2024;
- (3) Establishing a working group to determine major shifts in operations and clinical models that substance use disorder treatment providers need to make before adjusting to efforts to incentivize new demands for higher quality care;
- (4) Requiring the working group to submit a report of its findings and recommendations, including proposed legislation, to the Legislature prior to the convening of the Regular Session of 2023;
- (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. 1794, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1794, 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, 1 (Ward).

#### **SCRep. 138-22 Government Reform on H.B. No. 1830**

The purpose of this measure is to:

- (1) Establish the State Self-insurance Against Property and Casualty Risks Special Fund, to be administered by the Comptroller, to provide the State with self-insurance against the State's property and casualty risks; and
- (2) Appropriate general funds for deposit into the Special Fund.

Your Committee received comments on this measure from the Department of Budget and Finance, Department of Accounting and General Services, and one individual.

Your Committee finds that the State currently purchases third-party insurance through its risk management and insurance administration to cover the State's property and casualty risks. Property and casualty insurance provide risk mitigation to minimize the State's loss exposure. Your Committee further finds that the State's property and casualty insurance premium costs are significant and subject to further premium increases. This measure will help save the State the costs of its annual insurance premiums for property and casualty insurance by self-insuring the State's property and casualty risks.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Should your Committee on Finance deliberate on this measure, your Committee on Government Reform respectfully requests that the levels of funding for reserves be at least \$322,000,000, as testified to by the Department of Accounting and General Services.

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. 1830, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1830, 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, 1 (Ward).

**SCRep. 139-22 Government Reform on H.B. No. 1881**

The purpose of this measure is to require any person who acts as a conduit of at least \$10,000 in certain campaign-related activities within any two-year election period to maintain relevant records and file reports with the Campaign Spending Commission regarding large contributions received and that disclose the sources of the contributions.

Your Committee received testimony in support of this measure from the Green Party of Hawaii, Common Cause Hawaii, League of Women Voters of Hawaii, Campaign Legal Center, and eight individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that transparency is an important factor for a healthy and strong democracy, as it allows voters to have accurate information they need to evaluate candidates for public office and to hold those candidates accountable if they are elected. Your Committee further finds that existing law does not prevent some people and corporations from transferring their money to other entities and hiding their true identities when purchasing campaign advertisements. This measure will require the maintenance of transfer records relating to certain campaign contributions and transfers to inform voters of the identities of those who attempt to influence elections through the purchase of campaign advertisements.

Your Committee notes that it is in agreement with the intent of this measure. However, your Committee recognizes that the wholesale insertion of model legislation into Chapter 11, Hawaii Revised Statutes, which relates to elections, can cause mechanical and execution problems for campaign spending. Your Committee further notes that stakeholders are willing to work with your Committees on Government Reform and Judiciary and Hawaiian Affairs to amend existing statute.

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 H.B. No. 1881, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1881, 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. 140-22 Government Reform on H.B. No. 1974**

The purpose of this measure is to establish the small business assistance initiative and appropriate funds to provide staffing for the implementation of part IX of the Hawaii Public Procurement Code, relating to assistance to small businesses.

Your Committee received testimony in support of this measure from the Department of Transportation, State Procurement Office, Hawaii State Commission on the Status of Women, Native Hawaiian Chamber of Commerce, Council for Native Hawaiian Advancement, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that small businesses are the lifeblood of the State's economy. Your Committee believes that the State's economy would benefit from the creation, development, and implementation of strategies to ensure that small businesses, including businesses owned by veterans, Native Hawaiians, and women, are able to effectively participate in small business contracting opportunities. Your Committee also finds that the State Procurement Office is able to assist small businesses with obtaining state contracts, a process that could be facilitated by the creation of the small business assistance initiative established by this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Should your Committee on Finance deliberate on this measure, your Committee on Government Reform respectfully requests that it consider appropriating to the State Procurement Office the following:

- (1) \$115,000 to complete Phase II and Phase III of the state small business database;
- (2) \$126,000 per year to establish one full-time equivalent (1.00 FTE) permanent Small Business Procurement Coordinator position exempt from Chapter 76, Hawaii Revised Statutes, in the State Procurement Office for the full period of the small business assistance initiative; and
- (3) \$125,000 per year for the hiring of a local small business to operate and maintain the Small Business Office and for marketing of and outreach for the small business assistance initiative for the full period of the initiative.

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. 1974, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1974, 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, 1 (Ward).

**SCRep. 141-22 Pandemic & Disaster Preparedness on H.B. No. 1586**

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 to the Legislature the purpose of any allotment or expenditure of major disaster funds;
- (3) Require federal disaster relief reimbursement monies to be deposited into a trust account of the Hawaii Emergency Management Agency, with funds to be returned to the general fund upon lapse of the original appropriation; and
- (4) Require annual reports to the Legislature on federal reimbursement monies, and disaster response spending by each state agency.

Your Committee received comments on this measure from the Department of Education and Hawaii Emergency Management Agency.

Your Committee finds that the geographic location of the State subjects the islands to many natural disasters such as hurricanes, volcanic eruptions, and wild fires. State departments and agencies have previously utilized their funds for disaster response efforts and then apply for federal reimbursement, which can take months or years to process. Your Committee further finds that as a result of the delay in departments receiving federal reimbursement, Act 139, Session Laws of Hawaii 2017, was enacted to authorize only the Department of Education to retain any federal reimbursement for disaster relief, regardless if the original appropriation had lapsed. Your Committee recognizes that when a department expends its funds to respond to an emergency situation it may be taking



funds from current operating expenses, thereby forcing the department to make cuts or program changes. Your Committee also notes that the years long delay in receiving federal reimbursement makes legislative appropriation and oversight important.

In recognition of this financial strain placed on departments, your Committee recommends a general fund appropriation to the Department of Defense so that state agencies do not have to use their own funds to respond to disasters.

Accordingly, your Committee has amended this measure by:

- (1) Reinstating the original reporting date requirement to no later than sixty days, rather than thirty days, after the allotment or expenditure of major disaster funds;
- (2) Inserting an appropriation of an unspecified amount for the Department of Defense for disaster response;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1586, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1586, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ward). Noes, none. Excused, none.

#### **SCRep. 142-22 Pandemic & Disaster Preparedness on H.B. No. 1976**

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;
- (2) Create a permanent position within the Insurance Division of the Department of Commerce and Consumer Affairs; and
- (3) Appropriate funds for Safe Home Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Emergency Management Agency, Hawaii Insurers Council, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

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, 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 believes 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.

Your Committee has amended this measure by:

- (1) Authorizing the Insurance Commissioner to adopt interim rules that are exempt from chapters 91 and 201M, Hawaii Revised Statutes, until official rules are adopted; provided that the Insurance Commissioner holds at least one public hearing and gives thirty day notice of the public hearing;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1976, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1976, 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 (Cullen, Woodson).

#### **SCRep. 143-22 Pandemic & Disaster Preparedness on H.B. No. 2302**

The purpose of this measure is to appropriate funds for the continued operation and disaster preparedness outreach efforts of the University of Hawaii Sea Grant College Program.

Your Committee received testimony in support of this measure from the University of Hawai'i Sea Grant College Program, Hawaii State Library System, Hawaii Emergency Management Agency, Be Ready Manoa, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the University of Hawaii Sea Grant Program provides useful and potentially life saving tips regarding disaster preparedness for natural hazards such as tsunami, earthquakes, floods, and hurricanes. The Sea Grant Program has participated in numerous outreach campaigns and provided over thirty thousand copies of its "Homeowner's Handbook to Prepare for Natural Hazards," which can be obtained in various locations throughout the State. Your Committee believes this grant program provides an essential service to the public and should continue its educational and outreach disaster preparedness programs.

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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2302, 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 (Cullen, Woodson).

**SCRep. 144-22 Pandemic & Disaster Preparedness on H.B. No. 2394**

The purpose of this measure is to appropriate funds to provide one-time enhanced payments to nursing facilities caring for Medicaid patients to assist with pandemic-related costs and lost revenues.

Your Committee received testimony in support of this measure from The Queen's Health Systems, Healthcare Association of Hawaii, and Hawai'i Pacific Health. 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, Department of Budget and Finance, and Hawaii Health Systems Corporation.

Your Committee finds that during the coronavirus disease 2019 (COVID-19) pandemic, nursing facilities experienced significant hardships such as increased costs of labor, personal protective equipment, supplies, testing, and more. In addition to the increase in costs, many nursing facilities saw a decrease in their revenues, which further exacerbated the financial difficulties of nursing facilities in the State. Despite receiving some federal relief, it only covered roughly thirty percent of the total pandemic-related losses. Your Committee acknowledges the work and dedication of nursing facilities but believes that many other health care facilities that were equally devastated by the COVID-19 pandemic also require financial support to continue providing necessary services to the citizens of the State.

Accordingly, your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount;
- (2) Clarifying that any facility in the State that is licensed by Medicare to provide skilled nursing or intermediate care to Medicaid patients is eligible to receive enhanced payments;
- (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.

Your Committee notes that although your Committee changed the appropriation amount to an unspecified amount to encourage further discussion, the requested amount is \$13,000,000 for these enhanced payments.

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. 2394, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2394, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Cullen, Woodson).

**SCRep. 145-22 Pandemic & Disaster Preparedness on H.B. No. 2501**

The purpose of this measure is to provide for paid leave for certain employees required to stay home from work or prohibited from returning to work because of coronavirus disease 2019 (COVID-19) exposure who submit to a test within three days of being notified of the exposure and receive negative test results.

Your Committee received testimony in opposition to this measure from the Chamber of Commerce Hawaii and Maui Chamber of Commerce. Your Committee received comments on this measure from Hawaii Children's Action Network Speaks!.

Your Committee finds that the COVID-19 pandemic brought to light the importance of paid sick leave and proved that paid sick leave is a critical public health tool. Your Committee further finds that there are cases where employers are forcing healthy employees who were exposed to COVID-19 but tested negative to use their limited sick leave. Your Committee acknowledges that certain employers do so out of the safety of their other employees and patrons. However, as the COVID-19 pandemic devastated many households with furloughs or layoffs, your Committee believes that this measure would help individuals get back to work quickly so they can support their families.

Your Committee has amended this measure by:

- (1) Inserting the provisions of this measure in Session Law, rather than codifying it as a new chapter in the Hawaii Revised Statutes;
- (2) Defining a "COVID-19 test";
- (3) Requiring an individual to be fully vaccinated to qualify as an "employee" under this measure, and defining "fully vaccinated", in accordance with the United States Center for Disease Control and Prevention guidance;
- (4) Requiring an employee to submit proof that they are fully vaccinated to the employer;
- (5) Inserting a sunset date of June 30, 2023;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2501, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2501, 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, 2 (Cullen, Woodson).

**SCRep. 146-22 Energy & Environmental Protection on H.B. No. 2088**

The purpose of this measure is to:

- (1) Create the Environmental and Economic Development Revolving Loan Fund under the administration of the Hawaii Green Infrastructure Authority;
- (2) Allow property owners and Hawaiian home lands lessees to finance qualifying improvements, such as cesspool upgrades, conversions, or connections; clean energy improvements; and resiliency measures, through a non-ad valorem property assessment; and
- (3) Appropriate funds to provide loans or other financial assistance to eligible property owners and for other allowable purposes, including implementation costs.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Hawaiian Home Lands; Hawaii Green Infrastructure Authority; Hawai'i Reef and Ocean Coalition; WAI: Wastewater Alternatives & Innovations; Petros

PACE Finance; Nuveen Green Capital; C-PACE Alliance; Hawaii Solar Energy Association; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that it is critical to invest resources to ensure the State's environmental health and minimize property loss and damage due to hurricanes, tropical storms, and other natural disasters. Innovative, non-traditional financing options and repayment mechanisms help bridge financing gaps, attract private capital, and address specific market failures and institutional barriers to help property owners make certain upgrades to improve a property's resiliency. Additionally, this measure will help the State address a number of critical initiatives, including aging cesspools, energy efficiency upgrades, and transitioning to clean energy.

Your Committee has amended this measure by:

- (1) Replacing the term "assessment" with "assessed" when referencing the Property Assessed Financing Program;
- (2) Clarifying the authorization to establish the Property Assessed Financing Program by:
  - (A) Specifying that any county may offer a property assessed financing program within its jurisdiction and contract with the Hawaii Green Infrastructure Authority (Authority) to offer the program; and
  - (B) Specifying the conditions of the program, including the responsibilities of the counties and the Authority's authorization to issue revenue bonds;
- (3) Clarifying and amending requirements for assessed financing assessment contracts relating to:
  - (A) Security for property assessed financing lenders' financing of qualifying improvements; and
  - (B) Recordation of the contracts and notice of the property assessed financing assessment that must be provided in the contracts;
- (4) Specifying determinations that property assessed financing lenders must make before entering into assessed financing assessment contracts for residential and commercial properties;
- (5) Clarifying and adding provisions regarding lienholders of residential and commercial properties, including lien parity and written consent of lienholders before entering into an assessed financing assessment contract;
- (6) Clarifying the responsibilities of the county directors of finance for the Property Assessed Financing Program;
- (7) Clarifying various definitions;
- (8) Changing the effective date to July 1, 2100, 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. 2088, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2088, 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 (Hashem, Matayoshi).

#### **SCRep. 147-22     Agriculture on H.B. No. 1992**

The purpose of this measure is to:

- (1) Permit composting and co-composting operations in agricultural districts; and
- (2) Appropriate funds for an environmental specialist IV position for the Department of Health Solid and Hazardous Waste Branch.

Your Committee received testimony in support of this measure from the Department of Research and Development of the County of Hawaii, Conservation Council for Hawaii, Hawai'i Alliance for Progressive Action, Life of the Land, Circlepack, North Shore Economic Vitality Partnership, Recycle Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, and thirteen individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Health, Department of Budget and Finance, and Hawai'i Farm Bureau.

Your Committee finds that composting and co-composting in agricultural areas support sustainable and regenerative agriculture in the State. Composting in agricultural districts yields benefits for Hawaii's farmers, the agriculture industry, and the environment by improving soil health, increasing drought resistance, reducing the need for supplemental water and fertilizers, and increasing crop yields. Your Committee recognizes that the development and administration of a streamlined permit application process for certain small-scale composting and co-composting operations requires additional personnel support from the Department of Health Solid and Hazardous Waste Branch.

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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1992, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1992, H.D. 1, and be referred to your Committee on Energy & Environmental Protection.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Perruso, Matayoshi).

#### **SCRep. 148-22     Agriculture on H.B. No. 2466**

The purpose of this measure is to create stronger economic incentives for new taro farmers, improve the livelihoods of existing taro farmers, and reduce the cost of poi for local residents by exempting from income tax certain taro cultivation and production activities.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku; Hawai'i Farm Bureau; Kipahulu Ohana, Inc.; Hawaii Alliance for Progressive Action; Growing Together Edible Landscaping; Hawaii Farmers Union United; and twelve individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that tax incentives provide valuable financial support to farmers engaged in taro cultivation and production, thereby supporting the perpetuation of the traditional practice of taro farming and increased production of taro as a nutritious staple food.

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

- (1) Replacing the state income tax exemption for persons engaged in the business of taro cultivation and production of value-added taro products with a general excise tax exemption for gross proceeds and income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2466, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Perruso, Matayoshi, Matsumoto).

#### **SCRep. 149-22 Health, Human Services, & Homelessness on H.B. No. 2424**

The purpose of this measure is to:

- (1) Expand the investigative power of the Department of Human Services to include children who have been adopted or placed in legal guardianship and whose families are receiving financial assistance through the State;
- (2) Expand the investigative power of the Department of Human Services to include children in the foster care system for whom there is a pending petition for adoption and the child is pendente lite or for whom an adoption decree has been issued but the child has not yet been placed in the custody of the adoption petitioner;
- (3) Establish and appropriate funds to create a crisis mobile outreach team pilot program to provide additional support and expansion of services for existing crisis response services;
- (4) Appropriate funds for additional case workers and support staff; and
- (5) Appropriate funds to increase compensation for existing child welfare services case worker positions.

Your Committee received testimony in support of this measure from the Department of Health and fifteen individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Waimanalo Neighborhood Board No. 32.

Your Committee finds that additional measures are needed to strengthen the network of state systems that protect and ensure the safety and security for at-risk children who are under the protection and legal jurisdiction of the State and have been placed with an adoptive family or are under legal guardianship. Your Committee further finds that oversight of adoptive families and legal guardians who receive adoption assistance or permanency payments is currently limited to biannual forms where the beneficiary indicates whether the beneficiary still qualifies for and desire to receive assistance payments. This measure will provide additional safeguards for at-risk children by expanding the investigative authority of the Department of Human Services to include families where a child has been adopted or placed into legal guardianship.

Your Committee has amended this measure by:

- (1) Deleting a portion of the preamble to narrow the scope of the legislative intent;
- (2) Limiting the review or investigation of adoptive families and legal guardians to families where a complaint has been lodged with the Department of Human Services at any time, including any time prior to adoption or awarding of legal guardianship;
- (3) Deleting the crisis mobile outreach team pilot program and associated appropriation;
- (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. 2424, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2424, 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, none.

#### **SCRep. 150-22 Health, Human Services, & Homelessness on H.B. No. 1975**

The purpose of this measure is to:

- (1) Amend the definitions of "preceptor" and "volunteer- based supervised clinical training rotation" to improve accessibility for health care providers to receive income tax credits for acting as health care 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, University of Hawai'i System, Hawai'i Pacific Health, Hawai'i State Center for Nursing, Hawaii Primary Care Association, The Queen's Health Systems, Kaiser Permanente Hawai'i, Hawaii Medical Association, Hawai'i Association of Professional Nurses, Hua Moon Women's Health LLC, and eight 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 healthcare preceptor income tax credit is intended to incentivize volunteer preceptors to offer professional instruction, training, and supervision to students and residents seeking careers as health care providers. Your Committee further finds that during the first-year of implementation of the healthcare preceptor income tax credit in 2019, only a small subset of providers met the credit's eligibility requirements. This measure is intended to clarify compensation limits for volunteer-based supervised clinical training rotations to facilitate the Preceptor Credit Assurance Committee's implementation of the tax credit.

Your Committee has amended this measure by:

- (1) Specifying the eligibility of the tax credit via a technical clarification about compensation limits for preceptors providing volunteer-based supervised clinical training rotations;

- (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. 1975, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1975, 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, none.

#### **SCRep. 151-22 Health, Human Services, & Homelessness on H.B. No. 1638**

The purpose of this measure is to appropriate funds for a site assessment to identify and evaluate viable locations for a new hospital site in North Kona on the island of Hawaii.

Your Committee received testimony in support of this measure from the Mayor of the County of Hawai'i, one member of the Hawai'i County Council, Kuakini Hawaiian Civic Club of Kona, Hawaii Health Systems Corporation West Hawaii Region, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Kona community has outgrown the current Kona Community Hospital. Your Committee further finds that expansion of the existing facility is prevented by the facility's wastewater system, which is already at capacity. This measure will allow for the identification and evaluation of viable locations for a new hospital site in North Kona, on the island of Hawaii, which will allow for the creation of a new, more modern facility that can better serve the North Kona community.

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. 1638, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1638, 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, none.

#### **SCRep. 152-22 Health, Human Services, & Homelessness on H.B. No. 1977**

The purpose of this measure is to allow dental assistants to perform limited, essential duties under the general supervision of a dentist in public health settings.

Your Committee received testimony in support of this measure from the Hawaii Dental Association, Hawai'i Children's Action Network Speaks!, Hawaii Dental Hygienists' Association, Hawaii Dental Service, Hawai'i Oral Health Coalition, Hui No Ke Ola Pono, AlohaCare, and seven individuals. Your Committee received comments on this measure from the Department of Health and Board of Dentistry.

Your Committee finds that the State lacks adequate and accessible dental public health infrastructure, particularly on the neighbor islands. Your Committee further finds that although dental hygienists may practice under general supervision of a dentist in public health settings, dental assistants are prohibited from providing auxiliary support except under direct supervision by a dentist. This measure expands providers' ability to offer adequate and accessible oral health services by permitting dental assistants to provide limited, essential duties under general, rather than direct, supervision of a licensed dentist in public health settings.

Your Committee has amended this measure by:

- (1) Deleting the preamble other than the narrow purpose statement of this measure;
- (2) Clarifying that dental assistants, licensed dental assistants, and licensed dentists must be providing dental services in a public health setting, rather than being employed in a public health setting;
- (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. 1977, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1977, 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, none.

#### **SCRep. 153-22 Health, Human Services, & Homelessness on H.B. No. 1893**

The purpose of this measure transfer the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System so that when the Oahu Regional Health Care System is transferred from the Hawaii Health Systems Corporation to the Department of Health, pursuant to Act 212, Session Laws of Hawaii 2021, the Daniel K. Akaka State Veterans Home will become part of the Department of Health.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Office of the Adjutant General, State Office of Veterans' Services, and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, Office of Information Practices, Oahu Regional Health Care System, and Hawaii Health Systems Corporation Corporate Board of Directors.

Your Committee finds that the Department of Defense lacks the legal flexibility and medical expertise needed for continued operational oversight of a long-term care facility. Your Committee further finds that the Oahu Regional Health Care System has experience in managing and operating long-term care facilities and the legal flexibility to contract, administer, and provide for operational oversight of a long-term care facility. This measure ensures that the Daniel K. Akaka State Veterans Home will be operational after construction on the facility is completed in April 2023 by transferring management and operational oversight to a state agency with the expertise and ability to successfully manage a long-term care facility.

Your Committee has amended this measure by:

- (1) Clarifying that the Daniel K. Akaka State Veterans Home will be transferred to the Oahu Regional Health Care System and not the Hawaii Health Systems Corporation;
- (2) Clarifying that none of the liabilities of the Daniel K. Akaka State Veterans Home in existence at the time it is assimilated into the Oahu Regional Health Care System shall become liabilities of the Oahu Regional Health Care System;
- (3) Clarifying that after the transfer of the Oahu Regional Health Care System into the Department of Health, all rights, privileges, and obligations previously held by the Oahu Regional Health Care System in relation to the Daniel K. Akaka State Veterans Home shall continue to be held by the Department of Health;
- (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. 1893, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1893, 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, none.

#### **SCRep. 154-22 Health, Human Services, & Homelessness on H.B. No. 1980**

The purpose of this measure is to permit, but not require, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic behavioral health services under certain circumstances.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii State Council on Developmental Disabilities, Hawaii Medical Services Association, The Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers-Hawaii'i, Hawaii'i Psychological Association, Hawaii Association of Health Plans, Hawaii Primary Care Association, Mental Health America of Hawaii'i, AARP Hawaii'i, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii'i Pacific Health, Kaiser Permanent Hawaii'i, and Hawaii'i Care Choices.

Your Committee finds that due to the ongoing COVID-19 pandemic, there has been an increase in the use of telehealth services, particularly for behavioral health services. Your Committee further finds that there is an additional need to remedy digital health disparities for individuals without access to the audio-visual technology needed for telehealth. This measure expands access to remote behavioral health care services by permitting, but not requiring, health insurers, mutual benefit societies, and health maintenance organizations to cover audio-only telephonic services under certain circumstances.

Your Committee has amended this measure by:

- (1) Specifying that telephonic behavioral health services may be covered if in-person behavioral health services have been provided to a patient within twelve, rather than six months prior to the telephonic service;
- (2) Clarifying that coverage of telephonic services by an insurer, mutual benefit society, or health maintenance organization is neither required nor prohibited;
- (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. 1980, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1980, 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, none.

#### **SCRep. 155-22 Health, Human Services, & Homelessness on H.B. No. 1945**

The purpose of this measure is to require the Department of Human Services to establish a Neighbor Islands Blind and Visually Impaired Services Pilot Program that supplements existing statewide services by providing training and other services to neighbor island residents who are blind or visually impaired.

Your Committee received testimony in support of this measure from the Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Executive Office on Aging.

Your Committee finds that state and local support services for blind or visually impaired individuals are provided through economies of scale, and thus tend to benefit residents in populated areas, like Oahu, as compared to those in sparsely populated areas. Your Committee further finds that because of the concentration of support services on Oahu, blind or visually impaired individuals who live on the neighbor islands may be forced to choose between relocating to Oahu or living without services that would allow them to have full and integrated lives in their existing communities. This measure addresses the disparity in availability of support services by requiring the Department of Human Services to establish a pilot program to provide supplemental services to neighbor island residents who are blind or visually impaired.

Your Committee has amended this measure by:

- (1) Deleting the preamble, other than for a narrowed purpose statement;
- (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. 1945, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1945, 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, none.

**SCRep. 156-22 Health, Human Services, & Homelessness on H.B. No. 1774**

The purpose of this measure is to require health insurance policies, plans, contracts, or agreements issued by health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

Your Committee received testimony in support of this measure from the Hawaii Medical Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Health.

Your Committee finds that requiring the base level of coverage for existing mammography benefit mandates to be subject to terms of coverage that is at least as favorable to consumers as coverage for other radiological exams will help ensure that mammography screening benefits are reasonable and sustainable.

Your Committee has amended this measure by:

- (1) Deleting the preamble;
- (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. 1774, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1774, 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, none.

**SCRep. 157-22 Health, Human Services, & Homelessness on H.B. No. 1406**

The purpose of this measure is to specify that coverage for telehealth under the State's Medicaid managed care and fee-for-service programs includes psychiatric services delivered via telehealth through a behavioral health care manager who is present in a primary health care provider's office.

Your Committee received testimony in support of this measure from the Hawaii Psychiatric Medical Association, American Psychiatric Association, Hawaii Substance Abuse Coalition, AlohaCare, Hawaii Primary Care Association, AARP Hawai'i, and thirteen individuals. Your Committee received comments on this measure from the Department of Human Services and The Queen's Health Systems.

Your Committee finds that the psychiatric collaborative care model is effective and efficient in delivering integrated care and is ideal for states with community populations that are remote from urban centers as the model does not require the physical presence of a psychiatrist when psychiatric services can be delivered remotely. Your Committee further finds that the Centers for Medicare and Medicaid Services has released a Medicare Physician Fee Schedule that allows primary care physicians to be reimbursed for services that psychiatrists provide in the collaborative care model. Other payers including State Medicaid authorities and managed care plans, may opt to also reimburse for these services. This measure ensures the State's Medicaid population will receive needed psychiatric services by requiring the State's Medicaid managed care and fee-for-service programs to include coverage of psychiatric services delivered via telehealth under a collaborative care model.

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. 1406, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1406, 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, none.

**SCRep. 158-22 Health, Human Services, & Homelessness on H.B. No. 2393**

The purpose of this measure is to expand the scope of background checks for certain individuals, including individuals under contractual or employment obligations that place them in close proximity to minors and vulnerable adults.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that expanding the scope of background checks performed by the Department of Human Services on individuals working with or in close proximity to individuals receiving services from the Department is necessary to ensure the health, safety, and well-being of vulnerable populations in the State.

Your Committee has amended this measure by:

- (1) Expanding the scope of background checks for certain individuals to include individuals who are in close proximity to minors, young adults, and vulnerable adults;
- (2) Expanding the scope of background checks for certain individuals to include individuals who are in close proximity to minors, young adults, or vulnerable adults who are in need of social services and other benefits and services, including services intended to prevent abuse or neglect or assist youth aging out of foster 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. 2393, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2393, 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, none.

**SCRep. 159-22 Health, Human Services, & Homelessness on H.B. No. 2260**

The purpose of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries;
- (2) Increase the allowable number of plants for production centers;
- (3) Increase the number of production centers that may be allowed under a dispensary license;
- (4) Increase the number of retail dispensing locations that may be allowed under a dispensary license;
- (5) Redefine the term "medical cannabis production center" to include any series of structures located within the same secured perimeter fence-line;
- (6) Require the Department of Health to establish the fee structure for the submission of applications for additional production centers and retail dispensing locations and dispensary-to-dispensary sales; and
- (7) Amend the Department of Health's duties with respect to the establishment of standards for manufactured cannabis products.

Your Committee received testimony in support of this measure from the Hawai'i Cannabis Industry Association, Marijuana Policy Project, Noa Botanicals, Green Aloha Ltd., Maui Grown Therapies, Aloha Green Holdings Inc., Big Island Grown Dispensaries, Hawaiian Ethos, and nine individuals. Your Committee received comments on this measure from the Department of Health and Akamai Cannabis Clinic.

Your Committee finds that additional measures are needed to ensure qualified patients in the State have access to an adequate supply of medical cannabis. This measure will enhance the State's medical cannabis dispensary program by permitting additional facilities to strengthen patient access, maintaining strict product controls and safety standards, and improving the administration of the program.

Your Committee has amended this measure by:

- (1) Reducing the allowable amount of cannabis that may be transported from a selling dispensary to a purchasing dispensary from sixteen hundred ounces to three hundred twenty ounces;
- (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. 2260, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2260, 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, none.

**SCRep. 160-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on H.B. No. 2515**

The purpose of this measure is to require the Department of Health to establish and operate a laboratory capable of testing for diseases, air and water quality issues, and other high complexity testing.

Your Committees received testimony in support of this measure from the Department of Health, Honolulu Board of Water Supply, Life of the Land, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the State's existing laboratory building is approximately twenty-seven years old and is not designed to accommodate new and current demands for testing. Your Committees further find that the construction of a larger building would permit the Department to follow current best practices for infectious disease testing, safely test for agents of bioterrorism, and handle the projected volumes of water testing now required for ensuring communities have safe drinking water after potential fuel contamination of an important aquifer.

Your Committees have amended this measure by 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 Health, Human Services, & Homelessness and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2515, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2515, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 8. Noes, none. Excused, none.

**SCRep. 161-22 Water & Land on H.B. No. 2167**

The purpose of this measure is to improve the protection of Hawaii's historic properties by ensuring that more decisions are made at the local level and by promoting more timely reviews by assigning to the respective counties the responsibility for certain historic preservation project reviews under section 6E-42, Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Maui County Council, and NAIOP Hawaii. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology. Your Committee received comments on this measure from the departments of planning of the City and County of Honolulu, County of Hawaii, County of Maui, and County of Kauai and the Historic Hawai'i Foundation.

Your Committee finds that Hawaii is the only state in the Union that reserves to the state government the authority to review county permits for their potential effects on historic properties. In all other states, these reviews are performed by local governments. Your Committee believes that the processes implemented by the respective counties should be uniform and consistent and that this measure provides the basis to ensure consistency. Your Committee further finds that the delegation of powers proposed by this measure is highly appropriate.

Your Committee has amended this measure by:

- (1) Providing that the Department of Land and Natural Resources shall also retain authority to review projects occurring within or affecting a designated historic district;
- (2) Deleting the amount of the appropriation;



- (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.

Your Committee respectfully urges that should your Committees on Consumer Protection & Commerce and Finance choose to hear this measure, they consider appropriating \$750,000 for the Department of Land and Natural Resources to allocate to the counties to assist them financially in carrying out this measure.

Your Committee also urges the Department of Land and Natural Resources and counties to work together to develop a path forward that is satisfactory to all stakeholders.

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. 2167, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2167, 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. 162-22 Pandemic & Disaster Preparedness on H.B. No. 2392**

The purpose of this measure is to appropriate funds for coronavirus disease 2019 pandemic mitigation efforts.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Medical Service Association, and Hawai'i Primary Care Association. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has devastated the world. While the deployment of multiple vaccinations across the world has helped reduce the spread of the disease and saved many lives, the pandemic continues to spread and the Department of Health requires logistical support for its continued efforts to fight COVID-19. Your Committee further finds that without ongoing and expeditious financial support for the medical administration of COVID-19 vaccines, progress toward higher vaccination rates is anticipated to slow. This measure will assist the Department of Health by providing necessary funds to address the COVID-19 pandemic.

Accordingly, your Committee has amended this measure by:

- (1) Making this measure an emergency appropriation for COVID-19 mitigation efforts;
- (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.

Your Committee notes that although the appropriation amount is blank, the Department of Health's testimony requests an appropriation of \$12,000,000 for surge-response vaccination activities through June 30, 2022.

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. 2392, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2392, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, 2 (Cullen, Woodson).

#### **SCRep. 163-22 Labor & Tourism on H.B. No. 2159**

The purpose of this measure is to:

- (1) Amend the Hawaii Revised Statutes to change the Workforce Development Council to the Workforce Development Board and make other adjustments in nomenclature; and
- (2) Require the Workforce Development Board to develop written conflict of interest policies consistent with federal law.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii State Ethics Commission, and Workforce Development Council.

Your Committee finds that the Workforce Development Council is largely governed by federal law. This measure codifies federal conflict of interest provisions into the Hawaii Revised Statutes and renames the Council as the Workforce Development Board. Your Committee also finds that this measure, as amended, reduces and streamlines the Workforce Development Board's membership while still allowing it to carry out its responsibilities and meet federal requirements.

Your Committee has amended this measure by:

- (1) Reducing the membership of the Workforce Development Board (Board), while adhering to federal requirements;
- (2) Clarifying the language relating to the Governor's selection of the chairperson in order to comply with federal law;
- (3) Clarifying that the conflict of interest provisions in this measure are separate and in addition to the standards of conduct set forth in the State Ethics Code, chapter 84, Hawaii Revised Statutes;
- (4) Providing that the Director of Labor and Industrial Relations, rather than the Governor, shall appoint and fix the compensation of the executive director of the Board;
- (5) Changing the effective date to December 25, 2040, 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2159, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2159, 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. 164-22 Labor & Tourism on H.B. No. 2174**

The purpose of this measure is to add reserve public safety law enforcement officers to the volunteer occupations covered by the workers' compensation law under certain conditions.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Department of Public Safety.

Your Committee finds that this measure will assist the Department of Public Safety in augmenting its cadre of reserve volunteer law enforcement officers and increase law enforcement to better protect the community. The Department of Public Safety intends to begin a volunteer enforcement program that will recruit recent retirees from the Department and members of the public to assist with the Department's law enforcement responsibilities. This measure would provide coverage for injuries under specified conditions when incurred in the line of duty.

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. 2174, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2174, 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. 165-22 Education on H.B. No. 2126**

The purpose of this measure is to make an emergency appropriation to and authorize the issuance of general obligation bonds for the Department of Education to build a virtual school to allow for distance learning.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the COVID-19 pandemic caused unprecedented disruption to the education of Hawaii's students. Due to the pandemic, schools were forced to close down and education content was delivered through many different avenues, largely through virtual and online options. Although schools are now resuming in-person education, some virtual learning should continue. The Department of Education seeks to create a virtual school to continue to provide virtual learning for students. This measure will provide the sufficient funding needed to create the virtual school and hire the necessary staff for its operations.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount and general obligation bond amount to unspecified amounts;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to deliberate on this measure, your Committee on Education respectfully requests that it consider:

- (1) Appropriating \$2,453,917 for fiscal year 2021-2022; and
- (2) Authorizing the Director of Finance to issue \$2,700,000 in general obligation bonds and appropriating the same amount of funds for fiscal year 2021-2022,

for the Department of Education to build a virtual school.

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. 2126, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2126, 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 (Okimoto). Noes, none. Excused, 3 (Belatti, Ohno, Quinlan).

**SCRep. 166-22 Education on H.B. No. 2130**

The purpose of this measure is to make an emergency appropriation to the Department of Education for lead abatement.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, and Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Education strives to ensure that its facilities are maintained to protect the health and safety of its students, teachers, and staff. Your Committee further finds that the results of the recently completed first phase of a United States Environmental Protection Agency's Water Infrastructure Improvements for the Nation Act grant programs found that Department of Education elementary schools with old plumbing fixtures resulted in finding trace amounts of lead being found in drinking water sources. According to the United States Environmental Protection Agency, there is no known safe level of lead in a child's blood and lead is harmful to health, especially for children. This measure will provide the funding necessary for the Department of Education to repair or replace the old plumbing fixtures and provide safe drinking water to elementary school students.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to deliberate on this measure, your Committee respectfully requests that it appropriate \$1,850,000 to the Department of Education for lead abatement.

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. 2130, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2130, 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, 3 (Belatti, Ohno, Quinlan).

**SCRep. 167-22 Education on H.B. No. 2215**

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 one full-time equivalent on-site early childhood facility coordinator position.

Your Committee received testimony in support of the intent of this measure from the Executive Office on Early Learning. Your Committee received comments on this measure from the Department of Taxation, Department of Human Services, Department of Budget and Finance, Early Learning Board, 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. 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) Clarifying that the early childhood facility coordinator position shall assist with accreditation requirements, work with providers, and ensure appropriate facility or classroom design of on-site early childhood facilities in the State by providing technical assistance to implement a high-quality learning environment for young children;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to deliberate on this measure, your Committee respectfully requests that it consider the concerns raised by the Department of Taxation in its testimony regarding:

- (1) Designating an agency with subject matter expertise to be the certifying agency for the on-site early childhood facility tax credit; and
- (2) The ability of the Department to administer an aggregate cap to the on-site early childhood facility tax credit as the credit claims come in with tax returns.

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. 2215, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2215, H.D. 1, and be referred to your Committee on Economic Development.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

**SCRep. 168-22 Education on H.B. No. 2498**

The purpose of this measure is to require the Department of Health to submit a request, as allowed under part C of the federal Individuals with Disabilities Education Act, as amended, to the United States Department of Education to allow parents of children with a disability to continue receiving early intervention services after the child turns three years of age and until the child enters kindergarten.

Your Committee received testimony in support of this measure from five individuals. Your Committee received comments on this measure from the Department of Health and Hawaii Children's Action Network Speaks!.

Your Committee finds that young children with disabilities lose access to early intervention services when they turn three years of age and must transition to special education services provided by the State. However, some children may benefit more by continuing their early intervention services after turning three years of age, allowing them to work toward obtaining the goals and skills necessary to succeed in a school-based setting. This measure will begin the process to allow parents of children with a disability to continue receiving early intervention services after turning three years of age and close any current gaps in services.

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. 2498, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2498, 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. 169-22 Education on H.B. No. 2124**

The purpose of this measure is to allow for greater implementation of commercial enterprises in schools by deeming student interns engaged in a commercial enterprise to be employees of the State for liability purposes and allowing the Department of Education to use revenue from school commercial enterprises.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that there may be issues with liability that a business could face when employing a student intern through the Department of Education's commercial enterprise program. This measure will provide some degree of protection for businesses in situations where a student intern is injured or causes an injury while working for a business as part of the commercial enterprises program.

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. 2124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2124, 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 (Belatti, Ohno).

#### **SCRep. 170-22 Education on H.B. No. 1565**

The purpose of this measure is to:

- (1) Require the rental or lease of facilities to be considered by the Legislature when deciding upon an appropriation and bond authorization to the State Public Charter School Commission; and
- (2) Appropriate funds for the State Public Charter School Commission to allocate to charter schools for infrastructure costs, lease or rent assistance, and repair and maintenance of network infrastructure.

Your Committee received testimony in support of this measure from the Board of Education, State Public Charter School Commission, Hawaii State Teachers Association, Kamehameha Schools, Ka 'Umeke Kaeo, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that facilities funding has been a long-standing issue for charter schools nationally and locally. Public charter schools receive inadequate funding to support student learning and that more funding for charter school facilities is needed.

Your Committee further finds that on March 11, 2019, the Charter School Facilities Funding Working Group, issued its report providing the framework and process for distributing charter school facilities funding that prioritizes funding based on certain criteria. This measure will provide additional funding resources to the State Public Charter School Commission for public charter school facilities and base the disbursement of funds on the distribution methodology determined by the Charter School Facilities Funding Working Group report.

Your Committee has amended this measure by:

- (1) Changing its 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. 1565, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1565, 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 (Belatti, Ohno).

#### **SCRep. 171-22 Transportation on H.B. No. 1971**

The purpose of this measure is to:

- (1) Authorize peer-to-peer car-sharing and establish regulations;
- (2) Impose the car-sharing surcharge tax on peer-to-peer car-sharing programs;
- (3) Set the car-sharing vehicle surcharge tax at a rate equal to one-twelfth of the rate of the rental motor vehicle surcharge tax; and
- (4) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Department of Taxation.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council, Enterprise Holdings, and Avail. 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, Department of Commerce and Consumer Affairs Office of Consumer Protection, Turo, Tax Foundation of Hawaii, and Getaround.

Your Committee finds that peer-to-peer car sharing has emerged as a new car sharing model in the rental car marketplace, allowing vehicle owners to rent out their vehicles directly to consumers through online platforms. However, peer-to-peer car-sharing programs are not regulated under state law. This measure establishes regulations for these car sharing programs to ensure appropriate insurance coverage and recordkeeping.

Your Committee notes that the Department of Transportation's Airports Division, under its administrative authority, should oversee and permit activities in regard to peer-to-peer car sharing programs at airport facilities.

Your Committee has amended this measure by:

- (1) For the purposes of consistency, inserting similar insurance provisions from H.B. 1619, H.D. 1, Regular Session of 2022, relating to insurance coverage requirements, exclusions, recordkeeping, right of recovery, insurable interest, and disclosure and notice;
- (2) Requiring peer-to-peer car-sharing programs to verify that a shared car is not subject to a recall at the car-sharing start time;
- (3) Inserting provisions that subject peer-to-peer car sharing to the general excise tax and rental motor vehicle surcharge tax and require peer-to-peer car sharing programs to collect and remit taxes and surcharges to the Department of Taxation;
- (4) Deleting language that would have amended provisions relating to the car-sharing vehicle surcharge tax;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1971, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1971, 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 (LoPresti, Takumi).

#### **SCRep. 172-22 Economic Development on H.B. No. 2179**

The purpose of this measure is to authorize the Director of Taxation, under certain circumstances, to apply to the circuit court to convert certain tax liens into enforceable civil judgments.

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

Your Committee finds that there are several existing delinquent tax cases that are essentially uncollectible, despite the existence of tax liens. Your Committee further finds that when a tax lien is ignored and remains uncontested, the collection process cannot move forward. This measure would allow for judicial remediation by authorizing the Director of Taxation to seek judicial enforcement of tax liens, which will improve the efficiency of tax administration.

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. 2179 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; Ayes with Reservations (Okimoto). Noes, none. Excused, none.

#### **SCRep. 173-22 Water & Land on H.B. No. 1769**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources to study and combat rapid ohia death in Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i at Mānoa, Coordinating Group on Alien Pest Species, Hawai'i Farm Bureau, and two individuals. 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 rapid ohia death has killed over a million ohia trees on Hawaii Island and threatens forests on all of the main Hawaiian Islands. Ohia is the State's most common tree and compose eighty percent of remaining native forests. Ohia trees provide important habitats for other plants and animals and gather precipitation to recharge island aquifers. In addition, ohia forests have been treasured by Native Hawaiians for centuries for their many practical and artistic uses. Your Committee further finds that the widespread loss of ohia would be catastrophic for Hawaii's ecosystems and cultural heritage.

Your Committee has amended this measure by:

- (1) Deleting the amounts of the appropriations;
- (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.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating \$1,700,000, to be allocated as follows:

- (1) \$350,000 for a survey of and the response to rapid ohia death;
- (2) \$350,000 for applied research on management tools;
- (3) \$900,000 for animal removal from fenced areas on Hawaii Island; and
- (4) \$100,000 for public outreach on how to prevent disease spread.

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. 1769, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1769, 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. 174-22 Water & Land on H.B. No. 1766**

The purpose of this measure is to increase the State Parks Special Fund expenditure ceiling to \$12,000,000 to allow the State Parks System to use and reinvest the revenues derived from out-of-state visitors to improve the quality and timeliness of maintenance, management, and public safety at state parks throughout Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and The Friends of Iolani Palace.

Your Committee finds that the State Park System, which enables residents and visitors alike to connect with nature and experience the islands' unique historical and cultural heritage, is one of the twenty most visited parks systems yet one of the six most poorly funded systems in the United States. Your Committee further finds that following the brief hiatus of public use of state parks during the COVID-19 pandemic, a robust return of visitor arrivals in 2021 and additional revenue from state parks due to increased user fees are anticipated to yield over \$12,000,000 in revenue by the end of fiscal year 2022. By increasing the expenditure ceiling of the State Parks Special Fund, this measure will provide greater financial resources to maintain, preserve, and protect Hawaii's state parks.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1766, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1766, 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. 175-22 Energy & Environmental Protection on H.B. No. 1811**

The purpose of this measure is to:

- (1) Allow for new electric vehicle charging stations having a single port to qualify for a rebate under the Electric Vehicle Charging Station Rebate Program (Rebate Program);
- (2) Increase flexibility of the Public Utilities Commission to administer the Rebate Program;
- (3) Increase the maximum percentage of Rebate Program appropriations that may be expended for administrative costs; and
- (4) Allow for marketing and outreach expenses to be included within allowable administration costs of the Rebate Program.

Your Committee received testimony in support of this measure from the Department of Transportation, City and County of Honolulu Department of Design and Construction, Hawaiian Electric Company, Ulupono Initiative, Climate Protectors Hawai'i, KauaiEV, 350Hawaii.org, Hawaii Electric Vehicle Association, Alliance for Automotive Innovation, Blue Planet Foundation, Hawaii Automobile Dealers' Association, Retail Merchants of Hawaii, and four individuals. Your Committee received comments on this measure from the Public Utilities Commission, Hawaii State Energy Office, Hawai'i Energy, and Tesla.

Your Committee finds that the State has committed to eliminating fossil fuels from the electricity and ground transportation sectors and to achieving a zero-emissions clean economy in Hawaii by 2045. Additionally, meeting the State's clean energy goals and commitments necessitates the rapid transition to zero-emission vehicles, including supporting electric vehicle charging infrastructure. This measure provides more flexibility in the Rebate Program to ensure that the program is adequately and sufficiently deploying rebates to priority locations in furtherance of the State's clean energy and carbon reduction goals.

Your Committee has amended this measure by:

- (1) Clarifying that rebates shall be distributed up to, rather than at, specified amounts;
- (2) Expanding program eligibility for Level 2 chargers with one port for upgraded or replaced electric vehicle charging stations;
- (3) Providing more flexibility for the Public Utilities Commission in its consideration of program guidelines relating to supporting accessibility of charging to as many electric vehicle drivers as feasible;
- (4) Changing the effective date to July 1, 2100, 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. 1811, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1811, 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. 176-22 Energy & Environmental Protection on H.B. No. 2493**

The purpose of this measure is to establish and appropriate funds for the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program to incentivize carbon sequestration activities through incentives contracts that provide for compensation for eligible practices by program participants.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Green Infrastructure Authority; Office of Planning and Sustainable Development; The Nature Conservancy – Hawai'i and Palmyra; Hawaii Cattlemen's Council, Inc.; Life of the Land; Kauai Women's Caucus; 350Hawaii.org; Our Revolution Hawaii; Hawai'i Gas; Climate Protectors Hawaii; Energy & Climate Action Committee of the Environmental Caucus of the Democratic Party of Hawai'i; Dibshawaii LLC; Ohana Hui Ventures, Inc; Environmental Caucus of the Democratic Party of Hawai'i; Art Farm; Eco4Life; and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee finds that the State needs to reduce its contribution to climate change, increase local food production, improve soil health, and secure resilient water sources. Incentivizing nature-based actions that are soil health and carbon positive provide rich, diverse co-benefits to the State, such as restoring, maintaining, and improving landscape soil health and water security through payment for service programs. This measure would increase the State's food and water security, while also allowing small farmers, ranchers, foresters, and landowners to be compensated for taking measures to help Hawaii reach its climate readiness goals.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 2493, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2493, 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. 177-22 Energy & Environmental Protection on H.B. No. 2090**

The purpose of this measure is to establish a Zero-Emission Vehicle Rebate Program within the Public Utilities Commission to enable low- and moderate-income families greater access to zero-emission vehicles by providing a rebate on the point-of-sale purchase price of zero-emission vehicles.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; Public Utilities Commission; Hawaii State Energy Office; Hawaiian Electric Company; Life of the Land; Climate Protectors Hawai'i; Ulupono Initiative; Kauai Women's Caucus; 350Hawaii.org; Our Revolution Hawaii; Hawaii Electric Vehicle Association; Alliance for Automotive Innovation; Hawaii Automobile Dealers' Association; KauaiEV; and twelve individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Hawaii Energy.

Your Committee finds that while the Electric Vehicle Charging System Rebate Program has proven to be successful with the addition of new charging systems that were facilitated by the availability of the rebates, it is still critical to encourage the adoption of transportation with lower emissions, particularly by low- and moderate-income households. Offering financial incentives to purchase or lease electric vehicles and other zero-emission vehicles will further encourage their adoption for use in the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 2090, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2090, 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. 178-22 Energy & Environmental Protection on H.B. No. 2423**

The purpose of this measure is to require that all public works construction projects conform to certain carbon concrete standards.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Our Revolution Hawaii, Climate Protectors Hawai'i, Kauai Women's Caucus, 350Hawaii.org, Hawaii Interfaith Power and Light, and seven individuals. Your Committee received testimony in opposition to this measure from the City and County of Honolulu Department of Design and Construction and Cement and Concrete Products Industry of Hawaii.

Your Committee finds that managing and reducing a building's carbon footprint are increasingly important in building design, as reducing a building's carbon footprint can reduce running costs and increase efficiency in material design. Requiring the State to use lower carbon technologies in its buildings and projects, where feasible and cost effective, will provide an opportunity for the State to achieve its goal of becoming carbon neutral by 2045.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to carbon concrete standards and inserting requirements for state building construction projects and state highway projects to use building and construction materials that seek to reduce the carbon footprint of the building or project, where feasible and cost effective, under chapters 107 and 264, Hawaii Revised Statutes, respectively;
- (2) Changing the effective date to July 1, 2100, 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. 2423, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2423, 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. 179-22 Energy & Environmental Protection on H.B. No. 2054**

The purpose of this measure is to:

- (1) Authorize the Hawaii Technology Development Corporation to temporarily re-establish the Hawaii Office of Naval Research Grant Program to provide fifty percent matching grants to Hawaii awardees of alternative energy research grants from the United States Office of Naval Research; and
- (2) Establish the Alternative Energy Research and Development Revolving Fund and appropriate funds to provide grants.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawai'i Technology Development Corporation; Oceanit; Hawai'i Gas; Makai Ocean Engineering, Inc.; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Office of Naval Research Grant Program was established in 2015 to provide matching grants to further strengthen and support Hawaii's local companies that are conducting renewable energy research and development through existing contracts with the United States Department of Defense Office of Naval Research. However, the program was only funded for two years. This measure would re-establish the program and take important steps to encourage high-impact, clean energy solutions that promote innovative economic development.

Your Committee has amended this measure by:

- (1) Referencing the Hawaii Technology Development Corporation, rather than the High Technology Development Corporation;
- (2) Deleting the establishment of the Alternative Energy Research and Development Revolving Fund and instead appropriating general revenues to provide grants under the Hawaii Office of Naval Research Grant Program;
- (3) Changing the effective date to July 1, 2100, 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. 2054, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2054, 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. 180-22 Energy & Environmental Protection on H.B. No. 2278**

The purpose of this measure is to:

- (1) Amend the Environmental Response, Energy, and Food Security Tax, also known as the Barrel Tax, to tax carbon emissions; and

- (2) Establish a refundable income tax credit to mitigate the effect of the carbon emissions tax on taxpayers.

Your Committee received testimony in support of this measure from the Kauai Women's Caucus; Environmental Justice Task Force of Faith Action for Community Equity; The Nature Conservancy; Kauai Climate Action Coalition; Ulupono Initiative; Citizens' Climate Lobby, Kauai Chapter; Citizens' Climate Lobby, Hawaii Island Chapter; Citizens' Climate Lobby Hawaii; Imua Alliance; Hawaii Interfaith Power and Light; Climate Protectors Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from the Practical Policy Institute of Hawaii, Honolulu County Republican Party, The Heartland Institute, Life of the Land, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Department of the Attorney General, Hawaii State Energy Office, Par Hawaii, Grassroot Institute of Hawaii, Tax Foundation of Hawaii, and one individual.

Your Committee finds that other countries have successfully assessed a tax on producers and importers of fossil fuels to reduce the consumption of fossil fuels. The tax has shown to reduce the emissions of greenhouse gases, leading to a more sustainable environment and reducing local air pollution. Establishing a carbon emissions tax in Hawaii could similarly substantially lower the consumption of fossil fuels in the State, while also creating a net financial benefit to many of Hawaii's households, especially low-income households.

Your Committee has amended this measure by:

- (1) Clarifying the definitions of "qualified taxpayer" and "qualifying child";
- (2) Changing the effective date to July 1, 2100, 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. 2278, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2278, 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. 181-22 Energy & Environmental Protection on H.B. No. 2388**

The purpose of this measure is to require and appropriate funds for the Office of Environmental Quality Control, which was transferred to the Office of Planning and Sustainable Development and renamed as the Environmental Review Program in 2021, to establish, implement, and maintain an interactive website that is accessible by the public at no cost and provides notification of and opportunity for participation in actions taken pursuant to the State's environmental review process.

Your Committee received testimony in support of this measure from Life of the Land and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Planning and Sustainable Development.

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 Planning and Sustainable Development currently has a website that provides information to the public, the information provided on the site is difficult to locate. This measure further encourages public participation by improving the Office of Planning and Sustainable Development's website to be more user-friendly for the public.

Your Committee has amended this measure by:

- (1) Changing the expending agency for the appropriation from the Department of Health to the Office of Planning and Sustainable Development;
- (2) Changing the effective date to July 1, 2100, 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. 2388, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2388, 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. 182-22 Energy & Environmental Protection on H.B. No. 1637**

The purpose of this measure is to:

- (1) Prohibit the counties from imposing a real property tax on land or land improvements used for the production or storage of renewable energy that is sold to an electric utility; and
- (2) Permit a county to impose an annual fee of up to \$1,000 per megawatt of nameplate AC capacity generated by a renewable energy project that is actively producing and selling energy to an electric utility and sited on real property within that county.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Life of the Land; Hawaiian Electric Company, Inc.; Tawhiri Power LLC; Clearway Energy Group; AES Clean Energy; and Kaua'i Island Utility Cooperative. Your Committee received testimony in opposition to this measure from one member of the Maui County Council, City and County of Honolulu Department of Budget and Fiscal Services, and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Public Utilities Commission, Hawaii Clean Power Alliance, and Tax Foundation of Hawaii.

Your Committee finds that the successful deployment of large-scale renewable energy projects is integral to the State achieving its goal of one hundred percent renewable energy by 2045. However, in late 2021, the City and County of Honolulu Real Property Assessment Division unilaterally changed its tax treatment of some parcels of land on which renewable energy projects are sited from agriculture to industrial for tax purposes, resulting in a drastic increase in property taxes for affected projects. While energy projects owned by an electric utility are exempt from real property taxes, it is critical to ensure that independent power producers are provided the same tax exemptions.

Your Committee has amended this measure by:

- (1) Deleting language that would have prohibited the counties from imposing real property taxes on land or land improvements used to produce or store renewable energy that is sold to an electric utility;



- (2) Changing the counties' annual fee option to an annual in-lieu fee on land or improvements on land that are actively used to produce or store renewable energy that is sold to an electric utility, under certain conditions;
- (3) Changing the effective date to July 1, 2100, 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. 1637, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1637, 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. 183-22 Energy & Environmental Protection on H.B. No. 1519**

The purpose of this measure is to, beginning January 1, 2023, prohibit the sale, offer for sale, or distribution in the State of any sunscreen that contains active ingredients that are not generally recognized as safe and effective by the Food and Drug Administration, under certain conditions.

Your Committee received testimony in support of this measure from one member of the Maui County Council, the Americans for Democratic Action Hawai'i, The Kohala Center, Mālama Pūpūkea-Waimea, Hawai'i Reef and Ocean Coalition, Friends of Hanauma Bay, Environmental Caucus of the Democratic Party of Hawai'i, Surfrider Foundation, Climate Protectors Hawai'i, and seven individuals. Your Committee received testimony in opposition to this measure from the Hawaii Skin Cancer Coalition, Hawaii Dermatological Society, American Academy of Dermatology Association, Hawaii Food Industry Association, Consumer Healthcare Products Association, Retail Merchants of Hawaii, Public Access to SunScreens Coalition, and three individuals. Your Committee received comments on this measure from the Department of Health, Department of Land and Natural Resources, and one individual.

Your Committee finds 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 Committee has amended this measure by:

- (1) Restoring language that prohibits the sale and distribution of any sunscreen containing oxybenzone or octinoxate, or both, without a prescription issued by a licensed health care provider;
- (2) Changing the effective date to July 1, 2100, 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. 1519, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1519, 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. 184-22 Energy & Environmental Protection/Water & Land on H.B. No. 1803**

The purpose of this measure is to propose an amendment to article I of the Hawaii State Constitution to recognize and protect the inherent and inalienable right of all people to clean water and air and healthy ecosystems, including 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 Office of Planning and Sustainable Development, one member of the Maui County Council, Conservation Council for Hawai'i, Americans for Democratic Action Hawai'i, Life of the Land, Kauai Women's Caucus, Hawaii Interfaith Power and Light, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, Our Revolution Hawai'i, Ko'olau Waialua Alliance, Green Amendments For The Generations, Surfrider Foundation, Hawai'i Reef and Ocean Coalition, Climate Protectors Coalition Hawaii, Climate Protectors Hawai'i, and numerous individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources, Retail Merchants of Hawaii, and one individual. Your Committees received comments on this measure from the Department of the Attorney General and Hawai'i Association of REALTORS.

Your Committees find that clean air and water and healthy environments are essential for human life. Providing more protections for environmental rights will provide an important tool for protecting the State's environment and strengthen enforceable environmental rights that belong to all residents of Hawaii.

Your Committees note the comments and concerns by the Department of the Attorney General that the state constitution already recognizes the importance of a healthful environment and Hawaii's natural resources and that the amendment proposed by this measure may not be necessary.

Your Committees have amended this measure by:

- (1) Clarifying the findings and provisions in the preamble to reflect that the fundamental right of the people, including future generations, to clean water and air, a healthful environment and climate, and healthy native ecosystems and beaches shall be protected and shall not be infringed;
- (2) Changing the effective date to July 1, 2100, 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 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. 1803, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1803, 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, Tokioka, Matsumoto). Noes, none. Excused, 1 (Todd).

Water & Land: Ayes, 7; Ayes with Reservations (B. Kobayashi, Kong, Morikawa). Noes, none. Excused, 1 (McDermott).

**SCRep. 185-22 Housing on H.B. No. 2134**

The purpose of this measure is to require the counties to provide for the maintenance of infrastructure for any housing development of the Department of Hawaiian Home Lands within sixty days after the appropriate county agency has received a completed application for maintenance request and under certain conditions.

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) Providing that the transfer of infrastructure maintenance to the counties is also conditioned upon whether the infrastructure is connected or adjacent to infrastructure maintained by the county; and
- (2) Amending the definition of "infrastructure" to include culverts, signage, road striping, and traffic calming measures.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and one individual. Your Committee received testimony in opposition to this measure from one member of the Maui County Council. Your Committee received comments on this measure from the Honolulu Board of Water Supply.

Your Committee finds that the Department of Hawaiian Home Lands often continues to have the responsibility to maintain infrastructure despite the Department's compliance with county requirements. Your Committee further finds that the counties are uniquely positioned to operate, improve, repair, and maintain infrastructure. Therefore, transferring the responsibility to the counties to maintain the infrastructure, under specified conditions, for any housing development of the Department of Hawaiian Home Lands will enable the Department to use its resources to develop homestead lots to meet the needs of beneficiaries of the Hawaiian Homes Commission Act of 1920, as amended, and better focus its efforts on attending to the maintenance and repairs of existing infrastructure under its authority.

Your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Specifying that the transfer of infrastructure maintenance to a county is conditioned upon whether the infrastructure conforms to applicable county standards in effect at the time the infrastructure is turned over to the county;
- (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. 2134, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2134, 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, 1 (McDermott).

**SCRep. 186-22 Water & Land on H.B. No. 1497**

The purpose of this measure is to require the Division of Forestry and Wildlife of the Department of Land and Natural Resources to establish a two-year pilot program to remove invasive species such as albizia in and around Waiahole Stream on Oahu.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; WWCA; 'Ohulehule Forest Conservancy, LLC; and numerous individuals. 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 proper management and maintenance of watersheds are crucial to preventing loss of life and protecting public and private property in nearby communities. However, invasive species such as albizia pose a serious threat. For instance, in Waiahole Stream, the brittle nature of albizia has led to heavy clogging of the stream, and the rapid growth of albizia has crowded out native species.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1497, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1497, 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. 187-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on H.B. No. 1954**

The purpose of this measure is to make an emergency appropriation to fund a grant to the Honolulu Board of Water Supply for emergency operations, future planning, and ground water remediation resulting from the contamination of the southern Oahu basal aquifer.

Your Committees received testimony in support of this measure from the Honolulu Board of Water Supply, Life of the Land, Kauai Women's Caucus, 350Hawaii.org, Hawaii Interfaith Power and Light, Environmental Caucus of the Democratic Party of Hawai'i, and eight individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Health, and Department of Budget and Finance.

Your Committees find that there is an immediate threat of contamination to Oahu's sole-source groundwater aquifer resulting from the 2021 fuel leak at the United States Navy's Red Hill Bulk Fuel Storage facility. The release of fuel from the Red Hill facility has already caused the Honolulu Board of Water Supply to incur costs and take responsive action to address the potential impacts to Oahu's drinking water. The Board's ability to manage its resources has already been significantly impacted by the numerous episodic fuel releases from the Red Hill facility and bolstering resources for emergency operations, future planning, and remediation is therefore critically important for the Board and its customers. Your Committees therefore find that an emergency appropriation is necessary to assist the Honolulu Board of Water Supply's ongoing risk management activities.

Your Committees have amended this measure by:

- (1) Requiring the Honolulu Board of Water Supply to make reports to the Legislature on the Board's remediation efforts, expenditures of appropriated funds, and testing quality prior to the convening of the Regular Sessions of 2023, 2024, and 2025;
- (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 records of votes of the members of your Committees on Health, Human Services, & Homelessness and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1954, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1954, H.D. 1, and be referred to your Committee on Water & Land.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 8. Noes, none. Excused, none.

**SCRep. 188-22 Health, Human Services, & Homelessness on H.B. No. 1700**

The purpose of this measure is to:

- (1) Create a general excise tax exemption for any compensation received by a victim service provider for operating or managing a sex trafficking emergency shelter for minors; and
- (2) Authorize the Department of Human Services to establish or contract with a victim service provider to operate an emergency shelter for minors who are victims of sex trafficking and sexual exploitation.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu; Hawaii Youth Services Network; Rainbow Family 808; Stonewall Caucus of the Democratic Party of Hawaii; Imua Alliance; American Academy of Pediatrics, Hawaii Chapter; and eleven individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of Human Services, Office of Youth Services, Hawaii Youth Correctional Facility, Harm Reduction Hawaii, and one individual.

Your Committee finds that the commercial exploitation of children is a dire problem in Hawaii and the availability of safe, reliable housing for child victims is especially a key component to the stabilization and ultimate rehabilitation of these children. Your Committee further finds that, although the State has authorized the creation and development of two facilities that provide assessment, shelter, and residential treatment programs for victims of sex trafficking in Hawaii, additional services are needed. This measure addresses the gap in service by authorizing the State to contract with victim service providers to operate an emergency shelter for minor victims of sex trafficking.

Your Committee has amended this measure by:

- (1) Deleting language establishing a general excise tax exemption for compensation received by victim service providers for operating or managing a sex trafficking emergency shelter for minors;
- (2) Authorizing the Office of Youth Services, rather than the Department of Human Services, to establish or contract with a victim service provider to operate an emergency shelter for sex trafficking victims;
- (3) Making the State the payor of last resort for the operation of emergency shelters for sex trafficking victims;
- (4) Inserting a savings clause;
- (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. 1700, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1700, 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, none.

**SCRep. 189-22 Health, Human Services, & Homelessness on H.B. No. 1679**

The purpose of this measure is to make comprehensive updates to the statutory provisions regarding acupuncture practitioners to reflect modernized scopes of practice and licensing requirements.

Your Committee received testimony in support of this measure from the Board of Acupuncture, Hawaii Acupuncture Association, Institute of Clinical Acupuncture and Oriental Medicine, Acuplan Hawaii, Longevity Health Center, and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association, American Academy of Medical Acupuncture, Acupuncture and Herbs from China LLC, and six individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the statutory provisions regarding acupuncturists have not been updated in over twenty years, despite the growing demand for acupuncturists, changes to standards for national certifications, and expanded accredited educational programs, which now include master's and doctoral level degrees.

Your Committee has amended this measure by:

- (1) Changing the date for initial licensure applications and legacy status licenses to begin on July 1, 2023, in order to give the Board of Acupuncture and Department of Commerce and Consumer Affairs appropriate time;
- (2) Changing references from "acupuncture medicine physician" to "acupuncture medicine doctor";
- (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. 1679, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1679, 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, none.

**SCRep. 190-22 Health, Human Services, & Homelessness on H.B. No. 1795**

The purpose of this measure is to:

- (1) Expand the Hawaii Rural Health Care Provider Repayment Program to include eligible social workers and psychologists;

- (2) Require the Department of Health to be responsible for the administration of the Hawaii Rural Health Care Provider Loan Repayment Program; and
- (3) Appropriate funds for the Hawaii Rural Health Care Provider Repayment Program.

Your Committee received testimony in support of this measure from the Office of the Lieutenant Governor, John A. Burns School of Medicine, Hawai'i Health & Harm Reduction Center, Hawaii Primary Care Association, Hawaii Medical Association, National Association of Social Workers – Hawai'i, Hawaii Association of School Psychologists, Hawai'i Psychological Association, and seven individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that the Hawaii Health Corps Program and Hawaii Rural Health Care Provider Loan Repayment Program were enacted as Act 187, Session Laws of Hawaii 2012; however, the program were never funded. Your Committee further finds that the John A. Burns School of Medicine has been administering a similar program, the Hawaii State Loan Repayment Program, since it was awarded a federal grant in 2012.

Your Committee has heard and understands the concerns raised in testimony regarding the potential impact a second loan repayment program would have on the Hawaii State Loan Repayment Program. However, your Committee believes that establishing a separate loan repayment program targeted toward psychologists and social workers would encourage these health care professionals to serve in counties with a shortage of psychologists and social workers, without disrupting the success of the existing Hawaii State Loan Repayment Program.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language establishing the Hawaii Rural Mental Health Corps Program and Hawaii Rural Mental Health Care Provider Loan Repayment Program;
- (2) Deleting language making the Department of Health responsible for the administration of the Hawaii Rural Health Care Provider Loan Repayment program;
- (3) Granting rule making authority to the University of Hawaii at Manoa College of Social Sciences, University of Hawaii at Manoa Thompson School of Social Work and Public Health, and Department of Health for the administration of the Hawaii Rural Mental Health Corps Program and Hawaii Rural Mental Health Care Provider Loan Repayment Program;
- (4) Clarifying that the appropriation of general funds in this measure is for the Hawaii Rural Mental Health Care Provider Loan Repayment Program;
- (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. 1795, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1795, 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, none.

#### **SCRep. 191-22 Health, Human Services, & Homelessness on H.B. No. 1823**

The purpose of this measure is to:

- (1) Authorize advanced practice registered nurses, in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority;
- (2) Authorize psychiatric mental health nurses practitioners and clinic nurse specialists, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient;
- (3) Reduce the mandatory waiting period between oral requests from twenty days to fifteen days; and
- (4) Provide an expedited pathway for those terminally ill individuals not expected to survive the mandatory waiting period.

Your Committee received testimony in support of this measure from the Hawai'i-American Nurses Association, The Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers-Hawai'i, Hawai'i Association of Professional Nurses, Hawai'i Psychological Association, Hawai'i Pacific Health, Compassion & Choices, AlohaCare, Hawaii Society of Clinical Oncology, Planned Parenthood Alliance Advocates, Stonewall Caucus of the Democratic Party of Hawai'i, Health Committee of the Democratic Party of Hawai'i, and numerous individuals. Your Committee received testimony in opposition to this measure from Hawaii Family Forum and fourteen individuals. Your Committee received comments on this measure from the Department of Health, Board of Nursing, and Hawai'i State Center for Nursing.

Your Committee finds that the Our Care, Our Choice Act allows mentally capable, terminally ill individuals with six months or less to live to voluntarily request and receive prescription medication that allows the person to die in a peaceful, humane, and dignified manner. Your Committee further finds that because of Hawaii's unique geography and the State's ongoing physician shortage, many terminally ill qualified patients are unable to find a physician to request medical aid in dying or are unable to survive the mandatory twenty day waiting period.

Your Committee has amended this measure by:

- (1) Authorizing physician assistants to provide medical aid in dying;
- (2) Clarifying that counseling services to qualified patients may be provided by advance practice registered nurses with psychiatric or clinical nurse specialization or physician assistants;
- (3) Reducing the mandatory waiting period between a qualified patient's initial oral request and the provision of a prescription pursuant to section 327L-4(a)(12), Hawaii Revised Statutes, from fifteen days to ten days if more than ten business days have passed between the initial oral request and an appraisal of the patient by the attending provider or consulting provider;
- (4) Prohibiting the disclosure, discovery, or production of information collected or retained pursuant to incidental or routine communication between the Department of Health and qualified patients or providers;
- (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. 1823, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1823, 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 (Har). Noes, 1 (Ward). Excused, none.

#### **SCRep. 192-22 Government Reform on H.B. No. 1888**

The purpose of this measure is to:

- (1) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed; and
- (2) Specify the disclosure date for subsequent expenditures for electioneering communications.

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

Your Committee finds that electioneering communications reporting is required for noncandidate committees whose expenditures are not the result of direct contributions to any candidate and represent an unchecked resource that can be used to unduly influence the results of candidate and issue elections. Your Committee further finds that, because of the unchecked and unknown sources of these funds, additional scrutiny for their expenditures is warranted.

Your Committee also finds that there is a disparity between the definition of "electioneering communications" and the exceptions to electioneering communications. Specifically, digital, internet-only news periodicals are not included within these exceptions. As such, the exceptions could inadvertently leave out publications like Civil Beat, which provides all of its content online to its readers and whose news stories should not be considered electioneering communications for the purposes of this chapter.

Your Committee has amended this measure by:

- (1) Increasing the monetary threshold of aggregated expenditures for electioneering communications in a calendar year from more than \$1,000 to more than \$2,000 before the filing of a statement of information would be required;
- (2) Exempting election advertisements published by electronic means from being considered electioneering communications;
- (3) Repealing the actual expenditures exception from the definition of "electioneering communications";
- (4) Changing its effective date to July 1, 2112, 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. 1888, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1888, 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. 193-22 Government Reform on H.B. No. 1908**

The purpose of this measure is to:

- (1) Allow a bidder of a public works construction project to clarify and correct immaterial or technical issues with subcontractor listings for up to twenty-four hours after the bid submission deadline;
- (2) Require bids for construction be publicly opened no sooner than twenty-four hours after the bid submission deadline; and
- (3) Define "immaterial or technical information".

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii and Subcontractors Association of Hawaii. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services; Department of Budget and Fiscal Services 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; and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund. Your Committee received comments on this measure from the Judiciary, Department of Transportation, State Procurement Office, Contractors License Board, and Plumbing and Mechanical Contractors Association of Hawaii.

Your Committee finds that the Hawaii Public Procurement Code currently requires general contractors to disclose the subcontractors they intend to use on a project, which is intended to deter bid shopping, the practice of low-bidding general contractors unethically extracting lower prices from subcontractors under threat of replacement. However, your Committee recognizes that this disclosure requirement has the unintended consequence of increasing the number and complexity of construction protests.

Your Committee further finds that time constraints from when a bidder receives the bids from all of its subcontractors up until the procuring agency's bid submission deadline may also cause inadvertent failures to list a required subcontractor or the listing of erroneous subcontractor license numbers in a bid. This measure allows for additional time for prime contractors to correct their subcontractor listings and ensure that subcontractors are listed properly on the bid submittal and are licensed, thereby minimizing bid challenges, costs, and delays of public works construction projects while maintaining the integrity of the bid process.

Your Committee notes the discussions and concerns raised in the testimony between the General Contractors Association of Hawaii and 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, and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund regarding the language contained in this measure as it is based on laws of another state. The language in this measure, as introduced, would inadvertently conflict with and undo the right of the hearings officer under Chapter 103D, Hawaii Revised Statutes, to allow for a resubmittal of bids within a certain timeframe if it appears there was a technical error. As such, your Committee has amended this measure to better conform with existing Hawaii statutes and preserve the rights of the hearing officer, independent of section 103D-302, Hawaii Revised Statutes, to issue a substitution of the bid.

Your Committee has amended this measure by:

- (1) Providing that the twenty-four hour period to clarify and correct immaterial or technical issues with subcontractor listings after the bid submission deadline is complementary and in addition to the time allowed by the Procurement Policy Board to correct or withdraw inadvertently erroneous bids;

- (2) Changing its effective date to July 1, 2112, to encourage further discussion;
- (3) Inserting a sunset date of June 30, 2024; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the conflict between general contractors and subcontractors over bid listing has been a vexing one for the State and is heartened by the new dialogue and discussion between both parties that attempts to resolve this issue to allow for bid substitution while not undermining the subcontractor listing provision of the Hawaii Public Procurement Code. Your Committee respectfully requests that your Committee on Consumer Protection & Commerce, should it choose to deliberate on this measure further, encourage this continuing dialogue and exchange, particularly on the amendments that have been made by your Committee to address the concerns that were raised in testimony by subcontractors.

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. 1908, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1908, 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 (Mizuno).

#### **SCRep. 194-22 Government Reform on H.B. No. 1933**

The purpose of this measure is to:

- (1) Establish rules of ethics applicable to persons who work with children pursuant to a contract with the State;
- (2) Establish additional procedures for persons contracted by the State to provide services to children, including fees, candor and fairness before a tribunal, standards of proof, and a process for filing complaints; and
- (3) Specify that the contracts of any person who violates the rules of ethics are voidable on behalf of the State.

Your Committee received testimony in support of this measure from the Hawaii Family Advocacy Team, Hawai'i Appleseed Center for Law and Economic Justice, and ten individuals. Your Committee received comments on this measure from the Hawai'i State Ethics Commission.

Your Committee finds that families with children who are involved in Family Court custody matters already encounter stressful and uncomfortable situations. The situation is made exponentially worse when one side feels they are not being treated fairly or are being discriminated against or that there is bias in the process.

Your Committee further finds that various professionals are hired by the State to provide evaluations, fact finding, and other information relating to the children involved in custody matters. However, there are currently no rules of ethics that these contracted professionals are bound to follow. This measure will provide accountability for those professionals by establishing a rule of ethics for persons contracted by the State to work with children and will help families who are disproportionately involved in custody disputes.

Your Committee recognizes the testimony submitted about the situation that Calvin Stremel faced as a result of a conflict of interest with the custody evaluator. This measure recognizes Calvin's tragic experiences and will ensure that no such conflict of interest will occur in cases where professionals who work with children are contracted by the State. Your Committee has accordingly amended this measure to be titled "Calvin's Law", in recognition of his story.

Your Committee has further amended this measure by:

- (1) Including trials, hearings, and custody evaluations in the definition of "matter";
- (2) Specifying that a concurrent conflict of interest exists between a contracted person and a client if there is a significant risk that the provision of services to the client will be materially limited by a pecuniary interest of the contracted person;
- (3) Requiring written consent from a client after consultation, prior to:
  - (A) A contracted person receiving compensation for the provision of services to the client from a person other than the client;
  - (B) Services being provided by a contracted person who is related to another contracted person if the services are directly adverse to the client;
  - (C) Services being provided by a contracted person in any matter involving a lawyer or law firm with whom the covered person has a personal relationship; and
  - (D) Services being provided by a contracted person who has formerly served as a public officer or employee of the government, any contracted persons in a firm with which that contracted person is associated, and by a firm with which a contracted person with confidential government knowledge is associated;
- (4) Specifying that a contracted person who has formerly served as a public officer or employee of the government is subject to the existing restrictions in post-employment as stated in chapter 84, Hawaii Revised Statutes, relating to standards of ethics for government employees;
- (5) Specifying that a contracted person shall not falsify or omit evidence;
- (6) Clarifying that a contracted person making a recommendation to a tribunal shall base any and all recommendations on the relevant evidence standard, as defined in Rule of 401 of the Hawaii Rules of Evidence;
- (7) Changing its effective date to July 1, 2112, 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1933, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1933, 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, 1 (Ward).

#### **SCRep. 195-22 Government Reform on H.B. No. 2071**

The purpose of this measure is to:

- (1) Require purchasing agencies to analyze a proposed cost or price and 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 circumstances for when treatment services may be purchased and the procedure to purchase certain treatment services;
- (3) Increase the small purchase threshold for purchases of health and human services from less than \$25,000 to less than \$100,000; and
- (4) Repeal 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 comments on this measure from the Hawai'i Alliance of Nonprofit Organizations.

Your Committee finds that the amendments made in this measure to the State procurement laws relating to purchases of health and human services will promote procurement efficiency, program success, and government accountability.

Your Committee has amended this measure by:

- (1) Deleting provisions which required purchasing agencies to analyze a proposed cost or price and make a written determination that the amount of a contracting action for purchases of health and human services is fair and reasonable;
- (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 section 2 of this measure, as introduced, requires a procurement officer to purchase services for health and human services from responsible sources at fair and reasonable prices, and is similar to section 103D-312, Hawaii Revised Statutes, which provides that a procurement officer shall purchase goods, services, and construction from responsible sources at fair and reasonable prices. Should your Committee on Consumer Protection & Commerce deliberate on this measure further, your Committee respectfully requests that it look into the similarities of section 2 of this measure, as introduced, and section 103D-312, Hawaii Revised Statutes, and the issues raised in testimony, that departments already require proposers to provide a full detailed budget for purchases of health and human services.

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. 2071, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2071, 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 (Mizuno).

#### **SCRep. 196-22 Government Reform on H.B. No. 2183**

The purpose of this measure is to allow purchasing agencies to procure professional services when there are fewer than three qualified persons who respond to a professional service notice.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Accounting and General Services, and Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the American Council of Engineering Companies of Hawaii; American Institute of Architects, Hawaii State Council; Hart Crowser, Inc.; and three individuals. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that existing law does not allow for an alternative if less than three qualified persons respond to a professional services notice. As a result, professional service procurements may be delayed indefinitely until the minimum number of qualified submissions is obtained. This measure provides state agencies with more timely alternatives to complete procurement of professional services when there are fewer than three qualified submissions.

Your Committee has accordingly amended this measure by:

- (1) Clarifying that if less than three qualified persons respond to a solicitation for professional services, a purchasing agency may submit a request for alternative procurement approval from the Chief Procurement Officer or Chief Procurement Officer's designee; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee notes that the American Council of Engineering Companies of Hawaii indicated to your Committee that they would provide language to address the concerns raised in their testimony. However, your Committee has not yet received this language. Your Committee accordingly amended this measure using language provided by the State Procurement Office, as this will address policy goals without eliminating the competitive bidding process completely should there be less than three qualified professional servicers applying.

Should your Committee on Consumer Protection & Commerce choose to deliberate on this measure further, your Committee respectfully requests that your Committee on Consumer Protection & Commerce follow up with the American Council of Engineering Companies of Hawaii for suggested language that could alleviate the concerns raised in their testimony.

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. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2183, 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 (Mizuno).

#### **SCRep. 197-22 Government Reform on H.B. No. 2252**

The purpose of this measure is to:

- (1) Require the Board of Education to hold no less than six community forums annually, with at least one forum to be held in each county;
- (2) Make Board of Education members' attendance at the community forums permitted interactions under certain circumstances;
- (3) Require the Board of Education to include an open forum for public comments on non-agenda items at Board of Education meetings; and
- (4) Require the Board of Education to report to the Legislature on the implementation of the open forum requirement.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii. Your Committee received comments on this measure from the Office of Information Practices and one individual.

Your Committee finds that community forums 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 via 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 making technical, 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. 2252, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2252, 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 (Mizuno).

#### **SCRep. 198-22 Government Reform on H.B. No. 2386**

The purpose of this measure is to:

- (1) Require the Office of Elections to:
  - (A) Prepare a digital voter registration guide to be posted on its website; and
  - (B) Prepare a notice to be mailed with each ballot in a primary election notifying voters that the digital voter information guide may be found on the Office's website; and
- (2) Appropriate funds to the Office of Elections to prepare and mail a notice to voters that the digital voter information guide may be found on the Office's website.

Your Committee received testimony in support of this measure from Common Cause Hawaii, National Federation of the Blind of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Office of Elections.

Your Committee finds that providing a voter information guide to registered voters of the State will create a more informed voting public and increase voter participation in elections.

However, your Committee notes that there are many registered voters of the State who may be unable to access or view a digital voter information guide or live in areas that lack internet access. Your Committee believes that providing a physical voter information guide, upon request, to those who are unable to view the online voter information guide will ensure more people have access to important election information.

Your Committee further notes that concerns were raised in testimony regarding how statements for candidates are collected and included in the voter information guide. Additional discussion on those concerns may be warranted as this measure moves through the legislative process.

Your Committee has accordingly amended this measure by:

- (1) Clarifying that the Office of Elections is required to post the voter information guide electronically on its website and print and mail a physical copy to individuals upon request;
- (2) Changing its effective date to July 1, 2012, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to deliberate on this measure further, your Committee on Government Reform respectfully requests that it consider appropriating \$95,000 to the Office of Elections for the preparation, posting, and upon request physical distribution of the voter information guide required by this measure. Your Committee believes that since the distribution of a physical voter information guide is by request, the \$95,000 appropriation should be able to encompass the printing of physical copies of the guide.

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. 2386, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2386, 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 (Mizuno).

#### **SCRep. 199-22 Government Reform on H.B. No. 2492**

The purpose of this measure is to require:

- (1) Procurement officers to document whether to pursue damages against a design professional or contractor 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 for violations 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) Make cost overruns a construction defect for the purposes of the Contractor Repair Act;
- (4) Require the State Procurement Office to include training on the duty of procurement officers to hold design professionals liable for breaches of professional standards;
- (5) Require bids for a contract under the competitive sealed bidding process to include a liability contingency fund; and
- (6) Establish the Procurement Professional Standards Task Force to develop professional standards for non-state parties involved in the procurement process.

Your Committee received testimony in opposition to this measure from the American Council of Engineering Companies of Hawaii; CONSOR Engineers, LLC; American Institute of Architects, Hawaii State Council; General Contractors Association of Hawaii; and two individuals. Your Committee received comments on this measure from the Department of Transportation and State Procurement Office.



Your Committee finds that this measure is intended to help prevent cost overruns for state projects and ensure compliance with the Hawaii Public Procurement Code by construction companies and professionals. Your Committee notes that this measure is meant to encompass all professional service contracts and is not meant to single out design professionals or any other professionals.

Your Committee has amended this measure by:

- (1) Deleting language requiring the State Procurement Officer to compile a public list of noncompliant construction companies and design professionals;
- (2) Deleting language requiring bids for a contract under the competitive sealed bidding process to include a liability contingency fund;
- (3) Requiring the State Procurement Office to conduct a study to gather data on the appropriateness of requiring bids for a contract with the State to include a liability contingency fund to avoid cost overruns, including the appropriate percent of the project cost to be deposited into the project's liability contingency fund, and report to the Legislature prior to the Regular Session of 2023;
- (4) Appropriating an unspecified amount of funds to the State Procurement Office for research and development of training manuals, a design training workshop, two full-time equivalent trainer positions, and the Procurement Professional Standards Task Force;
- (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.

Should your Committee on Finance choose to deliberate on this measure further, your Committee respectfully requests that it consider appropriating \$944,000 to the State Procurement Office as follows:

- (1) \$800,000 for research and development of training manuals and a design training workshop;
- (2) \$84,000 a year and \$60,000 a year for two full-time equivalent (2.00 FTE) positions; and
- (3) Any additional funds needed to assist the Procurement Professional Standards Task Force.

Your Committee further respectfully requests your Committee on Finance to examine the \$944,000 appropriation amount to the State Procurement Office, as it seems to be quite large of an appropriation to simply carry out research and development of training manuals and conduct a design training workshop.

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. 2492, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2492, 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 (Mizuno).

#### **SCRep. 200-22 Corrections, Military, & Veterans on H.B. No. 2171**

The purpose of this measure is to:

- (1) Establish a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigative functions of the State, effective upon approval;
- (2) Reestablish the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population, effective January 1, 2023;
- (3) Transfer the law enforcement functions of the Department of Public Safety to the Department of Law Enforcement, effective January 1, 2023;
- (4) Transfer the law enforcement functions of the Department of Transportation, the non-statutorily mandated functions of the Investigations Division of the Department of the Attorney General, and the Office of Homeland Security to the Department of Law Enforcement, effective July 1, 2023;
- (5) Establish a Department of Law Enforcement training center; and
- (6) Establish positions and appropriate funds to the Department of Law Enforcement and Department of Corrections and Rehabilitation, effective July 1, 2022.

Your Committee received testimony in support of this measure from the United States Immigration and Customs Enforcement, Homeland Security Investigations; Department of the Attorney General; Department of Defense; Department of Public Safety; State Office of Homeland Security; Hawaii Government Employees Association AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Office of Information Practices; City and County of Honolulu Department of the Prosecuting Attorney; and United Public Workers AFSCME Local 646, AFL-CIO.

Your Committee finds that corrections and certain law enforcement functions and activities are currently placed within the Department of Public Safety. Your Committee recognizes that the goals and functions of corrections and law enforcement are distinct and separating the functions of the Department of Public Safety into two departments would advance these distinct goals and objectives, while allowing the corrections arm to more fully integrate strategies for rehabilitation.

Your Committee further finds that state law enforcement personnel and functions are currently spread across various departments and county agencies. Reorganizing certain state law enforcement functions into a single entity with consistent training opportunities would provide for centralized state law enforcement functions to increase public safety, improve decision making, promote accountability, and streamline communication.

Your Committee has amended this measure by:

- (1) Clarifying that county police departments are able to maintain their existing level of authority and jurisdiction while remaining subject to the standards of the Law Enforcement Standards Board;
- (2) Identifying as a part of the responsibilities of the Department of Law Enforcement, the formulation and implementation of state policies and objectives for the security of state land;
- (3) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2171, 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. 201-22 Corrections, Military, & Veterans on H.B. No. 2312**

The purpose of this measure is to:

- (1) Establish within the Judiciary, for administrative purposes, a Women's Corrections Implementation Commission to ensure the implementation of recommendations of the task force on prison reform, formed pursuant to House Concurrent Resolution No. 85 (2016), which were made in the final report to the Legislature during the Regular Session of 2019; and
- (2) Appropriate funds to support the Women's Corrections Implementation Commission.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i Friends of Restorative Justice, Hawaii Health & Harm Reduction Center, Women's Prison Project, and one individual. Your Committee received testimony in opposition to this measure from The Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Department of Public Safety, Department of Budget and Finance, Hawai'i State Ethics Commission, and League of Women Voters of Hawaii.

Your Committee finds that the Women's Corrections Implementation Commission proposed by this measure would be tasked with:

- (1) Developing and implementing an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system;
- (2) Ensuring the implementation of recommendations of the task force on prison reform, formed pursuant to House Concurrent Resolution No. 85 (2016), which were made in the final report to the Legislature during the Regular Session of 2019;
- (3) Reviewing existing local resources and programs focused on women in the justice system for their effectiveness and capacity for expansion; and
- (4) Considering model programs that include residential, in-person and community-based rehabilitation programs; supportive and subsidized housing; restorative justice; and educational programs.

Your Committee further finds that formation of the Women's Corrections Implementation Commission is consistent with a collaborative and gender-specific approach to rehabilitating women in the criminal justice system. The Commission is not intended to be a temporary commission and it would therefore be appropriate to codify provisions establishing and governing the Commission.

Your Committee has amended this measure by:

- (1) Codifying the provisions establishing and governing the Women's Corrections Implementation Commission;
- (2) Removing the Sunshine Law and financial disclosure exemptions proposed by this measure;
- (3) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2312, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2312, 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. 202-22 Corrections, Military, & Veterans on H.B. No. 2118**

The purpose of this measure is to:

- (1) Codify the existing Hawaii State Cybersecurity Program, administered by the Office of Homeland Security in partnership with specified entities, to oversee cybersecurity and cyber resiliency matters;
- (2) Define the scope and objectives of the cybersecurity program to meet present and anticipated cybersecurity threats; and
- (3) Eliminate the Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position.

Your Committee received testimony in support of this measure from the Department of Defense and State Office of Homeland Security.

Your Committee finds that this measure will establish a strategic, programmatic approach for statewide cybersecurity and move away from reliance on a single coordinator to meet cybersecurity needs.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, 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. 2118, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2118, 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 (McDermott).

#### **SCRep. 203-22 Corrections, Military, & Veterans on H.B. No. 2516**

The purpose of this measure is to:

- (1) Pause the public-private partnership for a new jail to replace the Oahu Community Correctional Center;
- (2) Establish a criminal justice reform committee; and

(3) Appropriate funds for the operations of the criminal justice reform committee.

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, Pearl City Neighborhood Board No. 21, Native Hawaiian Legal Corporation, Community Alliance on Prisons, Common Cause Hawaii, Ohana Ho'opakele, Pono Hawai'i Initiative, Faith Action for Community Equity, Hawai'i Alliance for Progressive Action, Malu 'Aina, Kulanui.org, Hawaii Health & Harm Reduction Center, Hawai'i Friends of Restorative Justice, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Accounting and General Services, and ACLU Hawaii.

Your Committee finds that on January 3, 2022, the Hawaii Correctional Systems Oversight Commission called on the State to stop the planned issuance of a request for qualifications and a request for proposals to build a new Oahu Community Correctional Center through a public-private partnership. The Hawaii Correctional Systems Oversight Commission noted that the jail now being planned is too big and will perpetuate a punitive model for the State's correctional system.

In addition, the Hawaii Correctional Systems Oversight Commission has called on government officials and a broad range of community stakeholders to collaborate on a jail that will meet the needs of the community.

Your Committee finds that the Hawaii Correctional Systems Oversight Commission should participate as a full partner in the planning, design, financing, developing, and construction of a new jail in a county having a population in excess of five hundred thousand.

Your Committee further finds that, with the participation of the existing Commission, formation of a new criminal justice reform committee is unnecessary.

Your Committee has amended this measure accordingly by:

- (1) Deleting the proposed creation of a new criminal justice reform committee;
- (2) Requiring that no planning, design, financing, development, or construction of a new jail in a county with a population exceeding five hundred thousand may proceed unless the Hawaii Correctional Systems Oversight Commission participates as a full partner;
- (3) Deleting the reference to the Women's Community Correctional Center;
- (4) Appropriating funds to the Hawaii Correctional Systems Oversight Commission rather than the new committee proposed by this measure;
- (5) Changing the effective date to July 1, 3000, 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. 2516, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2516, 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 (Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 204-22 Corrections, Military, & Veterans on H.B. No. 2117**

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces while they are not in federal service; and
- (2) Repeal the existing Hawaii Code of Military Justice, which was enacted in 1982.

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

Your Committee finds that this measure is based on the Uniform Code of Military Justice as contained in Title 10 United States Code Sections 801 et seq., and the Model State Code of Military Justice that was proposed by the American Bar Association in 2005.

Your Committee further finds that this measure contains provisions relating to apprehension, restraint, and confinement of suspects; punishable offenses; non-judicial punishment; and state courts-martial. This measure also provides for the right of appeal through a civilian court process.

Your Committee has amended this measure by:

- (1) Deleting a restriction on the appellate courts' inherent judicial powers to completely review matters that come properly before the courts;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2117, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2117, 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. 205-22 Corrections, Military, & Veterans on H.B. No. 426**

The purpose of this measure is to require the University of Hawaii System and its community colleges to waive tuition for the dependent children of disabled veterans, active or reserve members of the armed forces who were killed in action, and Purple Heart medal recipients awarded in 2001 or later, subject to certain conditions.

Your Committee received testimony in support of this measure from the Hawaii Military Affairs Council and four individuals. Your Committee received comments on this measure from the Department of the Attorney General and State Office of Veterans' Services.

Your Committee recognizes that many states offer veterans' benefits that enable qualifying resident children and spouses to attend public post-secondary educational institutions tuition-free. This measure will align Hawaii with those states in support of service members' dependents when those members are disabled, killed in action, or awarded a Purple Heart medal.

Your Committee finds that this measure seeks to offset some of the financial and personal hardships that may pertain to a dependent child of such a service member and which hardships should not deprive the child from pursuing a post-secondary education if the child so chooses. Your Committee further finds that the tuition waiver recognizes the sacrifice paid by the service member and is a means of preserving the service member's legacy.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As this measure proceeds through the legislative process, your Committee requests that questions of eligibility relating to financial need and age limit of a qualified student be addressed, as well as whether a limit to the type of degree that may be pursued is appropriate.

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. 426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 426, 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 (McDermott).

#### **SCRep. 206-22 Corrections, Military, & Veterans on H.B. No. 1738**

The purpose of this measure is to:

- (1) Establish policies and procedures for long-term confinement, disciplinary confinement, and administrative confinement of inmates in the State's correctional facilities; and
- (2) Require any agreement negotiated with an out-of-state jurisdiction for development of out-of-state correctional facilities to adhere to the same standards of care and health and safety policies adopted by the Department of Public Safety, including policies and procedures for appeal for confinement.

Your Committee received comments on this measure from the Department of Public Safety and Community Alliance on Prisons.

Your Committee finds that this measure is intended to provide greater transparency in confinement processes, ensure opportunities for time outside the cell and other rights while subject to confinement, and a hearings procedure for inmates faced with confinement. This measure will also require that out-of-state correctional facilities be held to the same standards of care and health and safety policies adopted by the Department of Public Safety.

Your Committee has amended this measure by:

- (1) Making the provisions relating to what confinement is effective January 1, 2023, and the provisions for redress effective January 1, 2024;
- (2) Delaying the effective date for compliance by out-of-state correctional facilities until August 1, 2024, because of ongoing contracts;
- (3) Clarifying that disciplinary confinement applies when the specified acts occur within the immediately preceding year while incarcerated;
- (4) Clarifying that the hearing prior to long-term confinement shall occur within ten days of written notice unless the Director of Public Safety certifies that there is an imminent threat to the safety and security of the correctional facility;
- (5) Improving internal consistency in hearing procedures for long-term confinement;
- (6) Resolving an inconsistency in the maximum duration for long-term confinement;
- (7) Providing for the Director of Public Safety's certification in writing of an imminent threat to the safety and security of the facility in all three types of confinement which are the subject of this measure;
- (8) Providing that effective July 1, 2022, the Department of Public Safety and Hawaii Correctional System Oversight Commission shall conduct their ongoing reviews of the policies, standards, and treatment of inmates subject to confinement and annually report on long-term confinement practices;
- (9) Changing the effective date to July 1, 3000, to encourage further discussion; 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1738, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1738, 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. 207-22 Government Reform on H.B. No. 1909**

The purpose of this bill is to effectuate its title.

H.B. No. 1909 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 Government Reform that is attached to this report, your Committee is in accord with the action to report out H.B. No. 1909, as amended herein, and recommends that it be recommitted to your Committee on Government Reform, for the purpose of holding a public hearing thereon, in the form attached hereto as H.B. No. 1909, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Eli, Mizuno).

#### **SCRep. 208-22 Water & Land on H.B. No. 1577**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the Kaho'olawe Island Reserve Commission to effectively meet the unique challenges of restoring, preserving, and determining the appropriate uses of the Kaho'olawe Island Reserve for the people of Hawaii.

Your Committee received testimony in support of this measure from the Kaho'olawe Island Reserve Commission, one Kaho'olawe Island Reserve Commission Commissioner, one member of the Maui County Council, Conservation Council for Hawaii, Pacific American Foundation, Pulama Mau Environmental Consulting, Kauahea Inc., and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Kaho'olawe Island Reserve Commission has made great strides in recent years in the restoration of Kaho'olawe's natural and cultural resources; however, to protect existing achievements and to accomplish even more, additional funding is needed to support the important work of the Kaho'olawe Island Reserve Commission.

Your Committee has amended this measure by:

- (1) Deleting the amounts of the appropriations;
- (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.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating:

- (1) \$500,000 for the Kaho'olawe Island Reserve Commission; and
- (2) \$72,000 for two full-time equivalent (2.00 FTE) permanent positions for the Kaho'olawe Island Reserve Commission.

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. 1577, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1577, 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. 209-22 Judiciary & Hawaiian Affairs on H.B. No. 1462**

The purpose of this measure is to clarify the applicable expert witness fees in state criminal cases.

Your Committee received testimony in support of this measure from the Office of the Public Defender and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that on March 2, 2017, the Department of Budget and Finance decided to discontinue reimbursements of certain expert witness fees and create new rules about when witnesses would be reimbursed. After discussions with the Department of the Attorney General, the Governor reestablished the previous guidelines and procedures under the Governor's Administrative Directive No. 18-01. However, since a new Governor will be elected this year, your Committee believes that further statutory clarification regarding expert witness reimbursements may be 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. 1462 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 (LoPresti).

#### **SCRep. 210-22 Judiciary & Hawaiian Affairs on H.B. No. 1537**

The purpose of this measure is to update the Children's Justice Program to include the investigation and management of cases involving suspected or confirmed child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and child witnesses to crime or violence.

Your Committee received testimony in support of this measure from the Judiciary; Department of the Attorney General; Department of Education; Honolulu Police Department; Office of the Prosecuting Attorney of the County of Kaua'i; Office of the Prosecuting Attorney of the County of Hawaii; County of Kauai Victim/Witness Program; Hawai'i Exploitation and Trafficking Unit; Child and Family Service, Hilo Office; Kids Matter-Friends of the Children's Justice Center of West Hawaii; YWCA of Kaua'i; Sex Abuse Treatment Center; St. Michael the Archangel Church; Friends of the Children's Justice Center of Kauai; Friends of the Children's Justice Center of Oahu; Parents and Children Together; Susannah Wesley Community Center; Hawaii State Chapter of Children's Justice Centers; Neighborhood Place of Kona; and four individuals.

Your Committee finds that the Children's Justice Program was established to ensure a fair and neutral process for handling reports of alleged child sexual abuse that protects the rights of victims and alleged perpetrators. This measure would update statutory language to reflect the Program's existing priorities for cases involving sexual abuse of a child, serious physical child abuse, child sex trafficking or commercial sexual exploitation of children, other child maltreatment, and children who are witnesses to crime or violence.

As 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. 1537 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 (LoPresti).

#### **SCRep. 211-22 Judiciary & Hawaiian Affairs on H.B. No. 1539**

The purpose of this measure is to:

- (1) Prohibit a person or an organization from posting the personal information of federal and state judges and other judicial staff on the Internet with the intent to intimidate or threaten injury, harm, or violence to the judge or staff or their immediate family members; and
- (2) Create a task force to identify further appropriate measures to enhance the security of judges and judiciary personnel while not diminishing civil liberties or unduly hindering governmental operations.

Your Committee received testimony in support of this measure from United States Court of Appeals for the Ninth Circuit Judge Richard R. Clifton, United States District Court for the District of Hawaii Chief Judge J. Michael Seabright, the Judiciary, and one individual.

Your Committee finds that over the past decade, judges and court personnel in Hawaii have received an increasing number of threats and inappropriate communications. To minimize the risk of threats or violence to these individuals, your Committee believes that posting the personal information of federal and state judges and other judicial staff with the intent to intimidate or threaten injury, harm, or violence should be prohibited.

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. 1539, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1539, 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 (McKelvey). Noes, none. Excused, 1 (LoPresti).

#### **SCRep. 212-22 Judiciary & Hawaiian Affairs on H.B. No. 1551**

The purpose of this measure is to provide a limited exemption from certain requirements of the State's open meetings law for commissioners of the Commission to Promote Uniform Legislation to attend and fully participate in meetings hosted by the Uniform Law Commission, without any limitation on the number of participating commissioners.

Your Committee received testimony in support of this measure from the Department of the Attorney General and six individuals. Your Committee received comments on this measure from the Office of Information Practices and Common Cause Hawaii.

Your Committee finds that this measure will enable commissioners of the Commission to Promote Uniform Legislation to perform their duties as the Hawaii delegation to the National Conference of Commissioners on Uniform State Laws, including selecting, drafting, considering, and amending various legislation to be adopted as uniform laws.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 1551, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1551, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (LoPresti).

#### **SCRep. 213-22 Judiciary & Hawaiian Affairs on H.B. No. 1567**

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, nonviolent petty misdemeanor offenses, nonviolent misdemeanor offenses, and nonviolent class C felony offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, Department of Public Safety, Office of the Public Defender, Hawai'i Correctional System Oversight Commission, Imua Alliance, Community Alliance on Prisons, League of Women Voters of Hawaii, Common Cause Hawaii, Hawai'i Health & Harm Reduction Center, Faith Action for Community Equity, Trinity United Methodist Church, Planning for Community 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, Retail Merchants of Hawaii, and Honolulu County Republican Party. Your Committee received comments on this measure from the Hawaii Disability Rights Center, Hawaii Substance Abuse Coalition, American Civil Liberties Union of Hawai'i, and one individual.

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) Deleting language that would have required the court to release defendants arrested, charged, and held for nonviolent class C felony offenses;
- (2) Requiring the defendant's release to be conditioned upon the general conditions of release on bail, which include requirements that the person:
  - (A) Not commit a federal, state, or local offense during the period of release;
  - (B) Appear for all court hearings, unless notified that appearance is not required; and
  - (C) Remain in Hawaii, unless approval is obtained to leave the jurisdiction of the court;
- (3) Requiring that any bail set be based upon all of the available information;
- (4) Deleting language authorizing the Director of Public Safety to release a defendant if the defendant is unable to post bail in the amount of \$99 or less;
- (5) Changing the effective date to January 1, 2022, 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 H.B. No. 1567, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1567, 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 (LoPresti).

#### **SCRep. 214-22 Judiciary & Hawaiian Affairs on H.B. No. 1690**

The purpose of this measure is to require motor vehicle operators to ensure that children two years of age or younger are properly restrained in rear-facing child passenger restraint systems.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Kapi'olani Medical Center for Women and Children, and Safe Kids Hawai'i. Your Committee received comments on this measure from Keiki Injury Prevention Coalition.

Your Committee finds that sixteen states and the District of Columbia require children under the age of two to 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 since the child's neck and skeleton are not capable of supporting them during a crash. Your Committee further finds that additional amendments are necessary to help keep children safe in motor vehicles until they are old enough to use adult seat belts. This measure would reduce motor vehicle fatalities and serious injuries in the State.

Your Committee has amended this measure by amending child restraint system requirements to:

- (1) Increase the age from under eight to under ten years old for children to be properly restrained in a child safety seat or booster seat that meets federal motor vehicle safety standards at the time of its manufacture; and
- (2) Repeal an exemption for children at least four years of age but less than ten years who are over forty pounds and traveling in a motor vehicle equipped only with lap belts, without shoulder straps, in the back seat.

As 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. 1690, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1690, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 215-22 Judiciary & Hawaiian Affairs on H.B. No. 1692**

The purpose of this measure is to amend the fines imposed for mobile electronic device violations.

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

Your Committee finds that according to the Fatality Analysis Reporting System, distracted drivers were involved in 23.1 percent and 16.5 percent of Hawaii's traffic fatalities in 2019 and 2020, respectively. The fines imposed for mobile electronic device violations serve as an important deterrent against cell phone use while driving, thereby reducing the number of motor vehicle fatalities and injuries in 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. 1692 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, 9. Noes, none. Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 216-22 Judiciary & Hawaiian Affairs on H.B. No. 2077**

The purpose of this measure is to convert the positions of the Administrator of the Hawaii Criminal Justice Data Center and Chief Special Investigator of the Department of the Attorney General from civil service status to exempt status.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that the Administrator of the Hawaii Criminal Justice Data Center and Chief Special Investigator are the only supervisory positions for the legal services and public services divisions within the Department of the Attorney General that are not exempt from the civil service system. Exempting these positions from the civil service system will allow the Attorney General to appoint candidates for these positions and ensure that all supervisory positions are supervised by the Attorney General in a consistent and equal manner.

Your Committee has amended this measure by changing the effective date to January 1, 2222, 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. 2077, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2077, 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 (Matayoshi, McKelvey, Nakamura, Todd, Tokioka). Noes, none. Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 217-22 Judiciary & Hawaiian Affairs on H.B. No. 2078**

The purpose of this measure is to make an emergency appropriation to the Department of the Attorney General for use in major litigation involving the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State is involved in major ongoing litigation that requires the retention of expert witnesses and specialized legal counsel. Pursuant to requirements set forth in article VII, section 9, of the Hawaii State Constitution, the Governor, in Governor's Message No. 2 to the Legislature, requested immediate consideration of this measure by the Legislature.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, 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. 2078, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2078, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 218-22 Judiciary & Hawaiian Affairs on H.B. No. 1777**

The purpose of this measure is to require and appropriate funds for the Department of the Attorney General to provide annual reports to the Legislature on specified data pertaining to the commercial sexual exploitation of children.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Hawaii Youth Services Network, The Sex Abuse Treatment Center, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Human Services, and Department of the Attorney General.

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. This measure will help assess the scope of the problem and improve the State's response.

Your Committee has amended this measure by:

- (1) Clarifying that the report must contain available data, rather than specific data, from entities that collect and are willing to provide data pertaining to the commercial sexual exploitation of children to the Department of the Attorney General;
- (2) Clarifying that entities are encouraged but not required to collect specific data for the report; 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. 1777, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1777, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 219-22 Housing on H.B. No. 1753**

The purpose of this measure is to allow the Hawaii Housing Finance and Development Corporation greater flexibility to use funds in the Rental Housing Revolving Fund for necessary expenses in administering its housing finance programs.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that according to the Hawaii Housing Finance and Development Corporation, while there has been increased demand and interest by developers to utilize the Hawaii Housing Finance and Development Corporation's financing programs, there are insufficient funds to cover the costs to administer the housing financing programs, attract and retain qualified personnel, and be commensurate with other state housing finance agencies. Your Committee finds that adequate staffing and adequate funding for the Hawaii Housing Finance and Development Corporation's housing financing program are necessary to improve the production of affordable 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. 1753, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1753, 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 (McDermott).

#### **SCRep. 220-22 Labor & Tourism on H.B. No. 1785**

The purpose of this measure is to require the Legislative Reference Bureau to conduct a study that identifies and analyzes alternative tourism governance systems and submit a report to the Legislature of potential tourism governance options for consideration.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, Public Policy Center at the University of Hawai'i at Mānoa, and one individual. 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 Budget and Finance and Legislative Reference Bureau.

Your Committee finds that in recent years, the Hawaii Tourism Authority's resident sentiment survey registered a dramatic increase in the number of residents who believe that tourism brings more problems than benefits. Your Committee further finds that a proper balance must be sought between generating revenue and contributing to as few social and environmental problems as possible. This measure will provide information to enable the Legislature to consider alternatives to tourism governance to strike the appropriate balance.

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.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$500,000 for the two-year study and report.

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. 1785, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1785, 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. 221-22 Labor & Tourism on H.B. No. 2102**

The purpose of this measure is to discontinue reimbursement by the State and counties of Medicare income related monthly adjustment amounts for retired employees hired after June 30, 2022, and their spouses.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees. Your Committee received comments on this measure from the Hawaii Government Employees Association AFSCME Local 152, AFL-CIO.

Your Committee finds that this measure is a cost-containment proposal that does not impact current retirees, vested former employees, and current employees. The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees estimates this change would save the State \$430,000,000 over the next thirty years in lower annual required contributions.



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. 2102, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2102, H.D. 1, and be referred to your Committee on Finance.

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

#### **SCRep. 222-22 Labor & Tourism on H.B. No. 2103**

The purpose of this measure is to eliminate Medicare part B premium reimbursement by the State and counties for the spouses of retired employees hired after June 30, 2022.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that this measure is a cost-containment proposal that does not impact current retirees, vested former employees, and current employees. The Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees estimates this change would save the State \$1,200,000,000 over the next thirty years in lower annual required contributions.

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. 2103, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2103, H.D. 1, and be referred to your Committee on Finance.

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

#### **SCRep. 223-22 Labor & Tourism on H.B. No. 2104**

The purpose of this measure is to identify certain types of alternative investment fund information, the disclosure of which would likely put the Hawaii Employer-Union Health Benefits Trust Fund at a competitive disadvantage, and exempt those categories of information from disclosure under chapter 92F, Hawaii Revised Statutes, consistent with market best practices.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees. Your Committee received testimony in opposition to this measure from Unite Here! Local 5 Hawaii. Your Committee received comments on this measure from the U.S. Securities and Exchange Commission, Division of Examinations; and Office of Information Practices.

Your Committee finds that this measure will enable the Hawaii Employer-Union Health Benefits Trust Fund to efficiently 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. This measure mirrors Act 71, Session Laws of Hawaii 2021, which provides the Employees' Retirement System of the State of Hawaii the same exemptions. The Office of Information Practices has stated it has no objection to allowing the Hawaii Employer-Union Health Benefits Trust Fund to withhold this information because the Office of Information Practices believes the listed categories of records relating to alternative investment that would be statutorily exempted by this measure are reasonably limited and specific and are consistent with the Uniform Information Practices Act's generally applicable exceptions to disclosure.

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. 2104, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2104, H.D. 1, and be referred to your Committee on Finance.

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

#### **SCRep. 224-22 Labor & Tourism on H.B. No. 2105**

The purpose of this measure is to address recent court rulings awarding State of Hawaii Employees' Retirement System service-connected disability retirement or accidental death benefits by clarifying:

- (1) The requirements applicable to each; and
- (2) The burden of proof and evidentiary requirements applicable to petitions for contested case hearings regarding disability retirement or accidental death benefits.

Your Committee received testimony in support of this measure from the State of Hawaii Employees' Retirement System Board of Trustees.

Your Committee finds that, in light of recent court rulings, this measure is necessary to clarify the Legislature's intent concerning the applicability of the State of Hawaii Employees' Retirement System service-connected disability retirement and accidental death benefits. This measure will help to curb the unintended growth in the State of Hawaii Employees' Retirement System's unfunded liability.

Your Committee has amended this measure by:

- (1) Moving the new provision relating to the burden of proof and evidentiary requirements when a member or applicant initiates a proceeding, to the statutory section relating to petitions for contested case hearings regarding disability retirement or accidental death benefits;

- (2) Moving the new provision relating to permanent incapacity as it relates to an application for service-connected disability retirement to the statutory section relating to service-connected disability retirement;
- (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 H.B. No. 2105, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2105, 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. 225-22 Labor & Tourism on H.B. No. 1760**

The purpose of this measure is to appropriate monies to the Department of Labor and Industrial Relations, Office of Community Services, for immigrant resource centers to assist immigrant and refugee populations throughout the State.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Office of Community Services, Hawai'i Coalition for Immigrant Rights, Hawaii Friends of Civil Rights, The Legal Clinic, Common Cause Hawaii, Democratic Party of Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Office of Community Services maintained immigrant resource centers in all four counties to provide support services for low-income immigrants for state fiscal years 2014 through 2017. The immigrant resource centers were funded by state funds at a level of \$700,000 per year. Currently, no funds have been appropriated for immigrant resource centers and the Office of Community Services does not operate any.

Your Committee recognizes that, on a per-capita basis, Hawaii has an extremely large immigrant population compared to other states. According to the 2020 Census, about two hundred seventy thousand Hawaii residents, who constitute about 18.5 percent of Hawaii's total population, are foreign-born.

Your Committee further finds that Hawaii's immigrants are more likely to have a lower income than native-born residents and less likely to have health insurance, but according to 2018 statistics, they generate approximately \$17,600,000,000 toward Hawaii's economy, paying \$1,550,000,000 in federal taxes and over \$874,000,000 in Hawaii state and county taxes. Hawaii's immigrants make up forty percent of the State's agricultural workers and thirty-three percent of the State's tourism, entertainment, and hospitality workers.

Your Committee also finds that when the immigrant resource centers were operating, service providers actively reached out to the immigrant communities and made immigrants aware of the services available to them at all levels of government and in the private sector. Your Committee believes these outreach efforts should continue with the revival of immigrant resource centers.

Your Committee has amended this measure by:

- (1) Requiring an outreach component for the immigrant resource centers;
- (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.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$1,000,000 for the immigrant resource centers.

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. 1760, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1760, 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. 226-22 Water & Land on H.B. No. 1656**

The purpose of this measure is to adequately address the Nā Ala Hele program's needs regarding the protection and expansion of public trail access statewide by appropriating funds for the establishment of a permanent full-time equivalent Land and Access Specialist position and a permanent full-time equivalent Abstractor position within the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ka Makani O Kohala Ohana, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the appropriations for staff positions in this measure will enhance the Department of Land and Natural Resources' capacity to develop and maintain trails and associated infrastructure; creatively recruit and manage volunteer groups; and address action items identified in the island-based Destination Management Action Plans, which were developed in coordination with the Hawaii Tourism Authority for the protection of Hawaii's natural and cultural resources for all users.

Your Committee has amended this measure by:

- (1) Deleting the amounts of the appropriations;
- (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.

Your Committee respectfully requests your Committee on Finance, should it choose to hear this measure, to consider appropriating \$84,730 for the Land and Access Specialist IV position and \$82,653 for the Abstractor X position.

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. 1656, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1656, 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. 227-22 Water & Land on H.B. No. 1719**

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue revenue bonds for the purpose of financing repairs of the Ala Wai boat harbor.

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

Your Committee notes that the Department of Land and Natural Resources testified that its Division of Boating and Ocean Recreation (DOBOR), which manages state small boat harbors, was authorized by the Legislature to issue revenue bonds in previous years. However, the large amount of funding required for each project would have led to unfavorable bond terms because creditworthiness would have been based on DOBOR's income and not the State's general fund. As a result, DOBOR prefers to use general obligation bonds through the capital improvement project process.

Therefore, your Committee has amended this measure by:

- (1) Removing the authorization of the Department of Land and Natural Resources to issue revenue bonds to finance repairs for the Ala Wai Boat Harbor;
- (2) Exempting capital improvement projects for Ala Wai Boat Harbor from mandatory prior authorization by the Legislature and Governor;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1719, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1719, 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. 228-22 Education on H.B. No. 2127**

The purpose of this measure is to authorize the issuance of general obligation bonds to make an emergency appropriation for the Department of Education to build a new maintenance base yard.

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

Your Committee finds that on July 1, 2005, the Department of Education and the Department of Accounting and General Services entered into a memorandum of understanding to supplement the transfer of resources from the Department of Accounting and General Services to the Department of Education pursuant to Act 51, Session Laws of Hawaii 2004. This memorandum of understanding included a provision for the Department of Education to use facilities at Shafter Flats to house its maintenance base yard.

Your Committee further finds that because of the economic downturn in 2020 and the limited amount of available resources, a request was made by the Department of Accounting and General Services on June 4, 2021, to have the Department of Education relocate from the Shafter Flats facility by October 2021. The Department of Education has since been looking for a new facility to house its maintenance base yard, which is vital for needed warehouse and storage space to allow the Department of Education to continue to service all of its facilities. This measure will provide sufficient funding to the Department of Education to build a new maintenance base yard.

Your Committee has amended this measure by:

- (1) Changing the general obligation bond amount to an unspecified amount;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should the Committee on Finance choose to deliberate on this measure, your Committee on Education respectfully requests authorizing the Director of Finance to issue general obligation bonds in the amount of \$15,000,000 and appropriating the same amount for fiscal year 2021-2022.

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. 2127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2127, 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, 3 (Belatti, Ohno, Quinlan).

**SCRep. 229-22 Education on H.B. No. 2122**

The purpose of this measure is to provide greater fiscal transparency by broadening the purposes for which indirect costs incurred by the Department of Education, State Public Charter School Commission, or a charter authorizer from federal grants may be reimbursed.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii Public Charter Schools Network.

Your Committee finds that indirect cost funds are reimbursements from federal grants received by the Department of Education for costs incurred in support of administrative and general business operations based on a negotiated rate with the federal government, which is assessed against allowable federal grant expenditures. Your Committee further finds that broadening the purposes for which indirect costs from federal grants may be used will make the costs available to be deposited into the Federal Grants Revolving Fund, which allows funds to be used for the pursuit of additional discretionary grants, monitoring grant execution, compliance with grant requirements, and the auditing of grant expenditures.

Your Committee has amended this measure by:

- (1) Changing its 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. 2122, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2122, 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, 3 (Belatti, Ohno, Quinlan).

**SCRep. 230-22 Education on H.B. No. 2123**

The purpose of this measure is to:

- (1) Include commercial enterprises in profit-making operations that students may engage in at schools;
- (2) Clarify that profits from agricultural, industrial, and commercial enterprise pursuits can be used to support the agricultural, industrial, and commercial enterprise programs directly; and
- (3) Allow students to receive school credit and compensation when engaging in profit-making operations.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will enhance the rigor and relevance of work-based learning throughout the pre-school through higher education continuum, will give students the opportunity to engage in comprehensive, real-world immersive experiences, particularly in the areas of entrepreneurship and strategic commercial enterprise, and allow profits made from agricultural, industrial, and commercial enterprise activity to directly support the programs.

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. 2123, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2123, 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 (Belatti, Ohno).

**SCRep. 231-22 Education on H.B. No. 1986**

The purpose of this measure is to require at least one at-large member of the Board of Education to be a Hawaiian immersion expert selected from a list of nominees submitted by the Aha Kauleo Kaiapuni Hawaii.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii State Teachers Association, Kamehameha Schools, 'Aha Pūnana Leo, Kanaeokana, Council for Native Hawaiian Advancement, Nā Leo Kāko'o Maui, Ka 'Aumanu, 'Aha Kauleo, Hui Makua o Pū'ōhala, and numerous individuals. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that Olelo Hawaii, the Hawaiian language, has been the native language of Hawaii's indigenous people for over two thousand years and has provided the foundation for the establishment and development of Hawaiian society. In 1978, the Constitution of the State of Hawaii was amended to support the Hawaiian language by including article X, section 4, which requires the State to promote the study of Hawaiian culture, history, and language; and article XV, section 4, which states English and Hawaiian shall be the official languages of Hawaii, reaffirming the State's constitutional responsibility.

Your Committee further finds that existing law does not require any member of the Board of Education to be an individual with expertise in Hawaiian studies, the Hawaiian language, or Hawaiian immersion education. This measure will require at least one at-large member of the Board of Education to be a Hawaiian immersion expert which will help to better promote the study of Hawaiian culture, history, and language in public schools, as required by the Constitution of the State of Hawaii.

Your Committee has amended this measure by:

- (1) Changing its 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. 1986, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1986, 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 (Belatti, Ohno).

**SCRep. 232-22 Education on H.B. No. 2125**

The purpose of this measure is to provide increased protection for educational workers to conduct school business by establishing the offense of harassment of an educational worker as a misdemeanor.

Your Committee received testimony in support of this measure from the Department of Education; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received testimony in opposition to this measure from four individuals.

Your Committee finds that the COVID-19 pandemic and increasing political polarization have created a more difficult environment to implement school policies and ensure the protection of educational workers. This measure will provide protection for educational workers from harassment when, for example, the actions or behavior of a member of the general public is uncontrollable. By making such action a misdemeanor, this may serve as a deterrent of harassing behavior against educational workers, thus allowing for the continued positive academic experiences for the State's students.

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. 2125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2125, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Ganaden). Noes, 1 (Okimoto). Excused, 2 (Belatti, Ohno).

#### SCRep. 233-22 Agriculture on H.B. No. 1518

The purpose of this measure is to appropriate funds for the research, extension, and control of the little fire ant and other harmful ant species.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Land and Natural Resources; Hawai'i Farm Bureau; Hawai'i Association of REALTORS; Coordinating Group on Alien Pest Species; Hilo Orchid Farm Hawaii, Inc.; Stop LFA Kohala; Hawaii Ant Lab; Mauna Kea Cacao LLC; and eleven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the little fire ant, or *Wasmannia auropunctata*, was first discovered on the island of Hawaii in 1999. Since then, the little fire ant has spread to the islands of Kauai, Lanai, Maui, and Oahu. Your Committee finds that little fire ants deliver a painful sting when disturbed, and welts from the sting can persist for weeks. Little fire ants also infest agricultural fields, farms, and homes; damage crops; promote plant pests; and will sting humans and animals. Your Committee finds that providing funds for the research, extension, and control of the little fire ant and other harmful ant species is critical to mitigate the negative impacts of these ants on the State's agriculture industry, the economy, the environment, and human health.

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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1518, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1518, 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. 234-22 Agriculture on H.B. No. 1714

The purpose of this measure is to appropriate funds to the Department of Agriculture to continue its efforts to mitigate and control the two-lined spittlebug and for recovery of the rangelands and pastures damaged by this invasive pest.

Your Committee received testimony in support of this measure from the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources; Hawai'i Farm Bureau; Ulupono Initiative; Land Use Research Foundation of Hawaii; Local Food Coalition; Coordinating Group on Alien Pest Species; Hawaii Meats on Oahu; Larry Jeffs Farms, LLC; Parker Ranch, Inc.; Ponoholo Ranch Limited; and nine individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Hawaii Cattlemen's Council, and two individuals.

Your Committee finds that the two-lined spittlebug, or *Prosapia bicincta*, is an invasive pest that was first detected in Kailua-Kona in 2016. By 2021, the two-lined spittlebug had impacted thousands of acres of ranchland on the west side of the island of Hawaii. This invasive pest has caused the loss of high-quality pasture grasses, including the Kikuyu and Pangola grasses, and has greatly reduced the quality of forage pastures on the island of Hawaii. Your Committee finds that additional resources are urgently needed to combat the detrimental effects of the two-lined spittlebug on the State's livestock industry, economy, and environment.

Your Committee has amended this measure by:

- (1) Expanding the purpose of the appropriation to include research to inform best practices and monitor the status of the two-lined spittlebug;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1714, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1714, 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. 235-22 Agriculture on H.B. No. 2061

The purpose of this measure is to bolster the Animal Industry Special Fund by authorizing revenues from fees for diagnostic, surveillance, and other work by the Animal Industry Division Veterinary Laboratory and Animal Disease Control Branch to be deposited into the special fund.

Your Committee received testimony in support of this measure from the Department of Agriculture and Hawaii Farm Bureau. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that private veterinarians submit test samples to diagnostic laboratories located outside the State for diagnostics that they are unable to run in their hospitals. The long-term goal for the State Veterinary Laboratory is to be able to perform molecular diagnostics of diseases that are already impacting or are a threat to local industries. This measure will assist with the operations of the State Veterinary Laboratory in providing necessary veterinary diagnostics 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2061, 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. 236-22 Agriculture on H.B. No. 2307**

The purpose of this measure is to ensure the continued viability of the State's sea salt manufacturing industry by appropriating funds to provide education and support to businesses in the State regarding the United States Food and Drug Administration's industry guidance on colored sea salt.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association; Hawai'i Farm Bureau; Chamber of Commerce Hawaii; and H.K. Enterprise Group, Inc. dba Hawaii Kai Corporation; and one individual. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that salt making is a culturally and historically important tradition of the State. Your Committee also finds that in 2015, the United States Food and Drug Administration (FDA) issued a guideline that required the two colorants in Hawaiian black sea salt and red sea salt to be added to the list of approved colorants, which requires sea salt producers and suppliers to file the federal Color Additive Petition application with the FDA. The application and approval process, which involves extensive FDA-required lab tests and analysis, can be very costly, especially for small manufacturers. Your Committee finds that since the issuance of the 2015 federal guideline, the Hawaiian black and red sea salt industry has suffered a gradual decline. This measure would provide education and support to the State's sea salt manufacturing industry on the FDA's guidance for colored sea salt.

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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2307, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2307, 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. 237-22 Consumer Protection & Commerce on H.B. No. 1486**

The purpose of this measure is to include the theft of a motor vehicle in the offense of theft in the first degree.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Office of the Prosecuting Attorney of the County of Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that there is growing public support for the increase of penalties related to theft of a motor vehicle. This measure ensures that offenders receive an appropriate sentence that reflects the seriousness of the offense and provides adequate deterrence for future criminal activity.

Your Committee has amended this measure by:

- (1) Specifically including the theft of a motorcycle or moped to the offense of theft in the first degree;
- (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. 1486, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1486, 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 (Onishi).

**SCRep. 238-22 Consumer Protection & Commerce on H.B. No. 1860**

The purpose of this measure is to:

- (1) Require licensed used motor vehicle part dealers to keep records of purchases and sales of catalytic converters, and require the seller to file a written statement that the seller has the lawful right to sell and dispose of the catalytic converter;
- (2) Establish the felony offense of theft of catalytic converter;
- (3) Increase the penalty for engaging in the business of purchasing or selling used motor vehicle parts and accessories, or wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories without a license;
- (4) Require scrap dealers to keep records of purchases and sales of palladium, platinum, and rhodium; and
- (5) Require all scrap dealers to pay for palladium, platinum, and rhodium, and all used motor vehicle part dealers to pay for catalytic converters, by check.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Hawai'i Police Department, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Insurers Council, Hawaii Transportation Association, American Property Casualty Insurance Association, Stolen Stuff Hawaii, and three individuals. Your Committee received comments on this measure from Schnitzer Steel Hawaii.

Your Committee finds that the theft of catalytic converters has been on rise. According to data from the National Insurance Crime Bureau, catalytic converter thefts were four time higher in 2020 than in 2019. Stolen or recycled catalytic converters can usually be resold on the market for around \$250; however, replacing a stolen catalytic converter can cost a car owner around \$1,000 or more. This measure will act as a deterrent to individuals and businesses involved in the disposal and acquisition of stolen catalytic converters.

Your Committee has amended this measure by:

- (1) Exempting licensed scrap dealers, when purchasing catalytic converters from other licensed commercial vendors, from the written statement requirements for motor vehicle part dealers that purchase catalytic converters, as scrap dealers are already required to obtain written statements and verify identification prior to purchasing scrap;
- (2) Clarifying the definition of "catalytic converter" to include a device that has been removed from the motor vehicle's exhaust system;
- (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 the concerns raised in testimony by the Department of the Prosecuting Attorney of the City and County of Honolulu regarding the burden of proof that must be met prior to charging or convicting someone with the offense of theft in the second degree. Should your Committee on Judiciary & Hawaiian Affairs hear this measure, your Committee respectfully requests that it consider these concerns.

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. 1860, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1860, 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 (Onishi).

#### **SCRep. 239-22 Consumer Protection & Commerce on H.B. No. 2243**

The purpose of this measure is to ensure the proper maintenance of residential condominium buildings and structures by:

- (1) Requiring that buildings and structures be maintained in a safe and sanitary condition;
- (2) Requiring devices and safeguards to be maintained in conformance with county building codes;
- (3) Requiring condominium associations or their designated agents to be responsible for the maintenance of the buildings and structures; and
- (4) Authorizing county building officials to require a building or structure to be reinspected.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners and six individuals. Your Committee received testimony in opposition to this measure from ten individuals. Your Committee received comments on this measure from the Hawaii Insurers Council.

Your Committee finds that many condominiums were built in the 1970s and 1980s and now require major repairs to keep the buildings and structures operational. However, condominium associations may not keep up with necessary repairs and maintenance or invest in appropriate insurance coverages to ensure that buildings or structures are able to be repaired or maintained when needed. This measure requires condominium associations or their designated agents to ensure proper maintenance and safety of their buildings or structures.

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. 2243, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2243, 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. 240-22 Consumer Protection & Commerce on H.B. No. 1757**

The purpose of this measure is to prohibit planned community associations from prohibiting an owner or a sub-association from utilizing xeriscaping.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Council of Associations of Apartment Owners and thirteen individuals.

Your Committee finds that water is a precious natural resource and water conservation is a best practice that should be utilized. Your Committee further finds that xeriscaping is a proven landscape practice that reduces irrigation water use by eliminating plantings or planting drought-tolerant or climate appropriate species. Xeriscaping can also be aesthetically pleasing by matching the appropriate native plant species with the local climate and environment. This measure promotes outdoor water conservation plans of homeowners or sub-associations within planned community associations.

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. 1757, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1757, 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. 241-22 Consumer Protection & Commerce on H.B. No. 1747**

The purpose of this measure is to require the State Building Code Council to:

- (1) Consult with building industry trade associations to gather cost data on the implementation of a building code or standard and calculate the financial impact of the building code or standard, including amortized utility costs, on the cost of single-family and multi-family homes built in the State; and
- (2) Include the cost provided by building industry trade associations on each code and standard adopted by the Council in the annual report submitted to the Governor.

Your Committee received testimony in support of this measure from the Building Industry Association of Hawaii, NAIOP Hawaii, and one individual. Your Committee received testimony in opposition to this measure from Kauahaikaua and Chun Architects. Your Committee received comments on this measure from the Hawaii State Energy Office, State Farm Mutual Automobile Insurance Company, AIA Hawaii, and Plumbers and Pipefitters UA Local 675.

Your Committee finds that the State Building Code Council includes various representatives who have significant experience with building code and are mostly serving on a volunteer basis. As a state entity, the State Building Code Council adheres to sunshine laws and welcomes representatives from the industry and unions to raise concerns regarding codes and construction costs; however, the primary purpose of building codes and standards are to safeguard life, property, and general welfare collectively. Your Committee heard the concerns raised in testimony that the broad nature of the measure may have unintended consequences and could potentially undermine other building codes and standards whose primary function and purpose is safeguarding life, property, and general welfare.

Accordingly, your Committee has amended this measure by:

- (1) Excluding codes and standards that have a primary purpose of safeguarding life, property, and general welfare collectively from the cost data requirements proposed by this measure;

- (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. 1747, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1747, 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. 242-22 Consumer Protection & Commerce on H.B. No. 1784**

The purpose of this measure is to require the periodic inspection of certain walls and appurtenances of buildings five or more stories in height.

Your Committee received testimony in support of this measure from the Hawaii Council of Associations of Apartment Owners and four individuals. Your Committee received comments on this measure from the Hawaii Insurers Council and one individual.

Your Committee finds that the State Building Code Council is charged with safeguarding life, property, and the general welfare by establishing and overseeing the state building codes. However, the codes do not specifically require that the structural integrity of buildings be regularly inspected. This is of particular concern in Hawaii, where the salty ocean environment can cause structural weakening and corrosion. This measure provides for the periodic inspection of certain buildings to ensure their safety and structural integrity.

Your Committee has amended this measure by:

- (1) Clarifying that the inspections proposed by this measure apply to buildings in existence on the effective date of this measure;
- (2) Requiring the notice of any unsafe condition to be sent to the appropriate county agency with responsibility over planning, rather than the Department of Accounting and General Services;
- (3) Clarifying that the scope of the State Building Code Council's duties include conducting reviews of periodic inspection reports for certain buildings;
- (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. 1784, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1784, 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. 243-22 Consumer Protection & Commerce on H.B. No. 1695**

The purpose of this measure is to increase the generally applicable statutory fine under the Fireworks Control Law from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii State Fire Council, Hawaii Fire Department, Honolulu Fire Department, Maui Fire Department, Pearl City Neighborhood Board No. 21, Poi Dogs & Popoki, Kihei Community Association, and nine individuals.

Your Committee finds that the illegal use of fireworks continues to cause significant disruption and concern in communities throughout the State. Illegal aerial fireworks and improvised explosive devices have substantially increased in recent years, which have resulted in serious injuries, property damage, and fatalities. Your Committee further finds that a stronger deterrent is therefore needed to curtail the use of illegal fireworks. Increasing the fines associated with illegal fireworks, as proposed by this measure, may act as such a deterrent.

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. 1695, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1695, 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 (Morikawa).

**SCRep. 244-22 Consumer Protection & Commerce on H.B. No. 1696**

The purpose of this measure is to increase the fireworks display permit fee.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Hawaii Fire Department, Honolulu Fire Department, Maui Fire Department, Pearl City Neighborhood Board No. 21, Poi Dogs & Popoki, and four individuals.

Your Committee finds that the display permit fee, which authorizes licensed pyrotechnicians to conduct outdoor and close proximity fireworks for public or private events or for theatrical or movie purposes, has remained the same for fifteen years. However, the costs of processing, reviewing, and approving display permits have increased. This measure will ensure the effective administration of the permitting process by increasing the permit fee. Increasing fireworks permit fees may also serve as a deterrent against the use of illegal fireworks.

Your Committee has amended this measure by:

- (1) Changing the permit fees for consumer, display, and cultural use fireworks to unspecified amounts;
- (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 the existing statutory amounts for permit fees is \$25 for consumer and cultural use fireworks and \$110 for display fireworks. Your Committee heard testimony on this measure that the existing statutory fees and the increased fees originally proposed by this measure were too low. One suggestion was to increase the permit fee to \$1,000, to provide more resources for inspection, and the consumer fireworks permit fee to \$100, to provide more resource for enforcement of violations. Should your Committee on Finance choose to deliberate on this measure, your Committee respectfully requests that it consider determining appropriate fireworks permit fee amounts.

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. 1696, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1696, 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 (Morikawa).

#### **SCRep. 245-22 Consumer Protection & Commerce on H.B. No. 1969**

The purpose of this measure is to require that counties offer monetary awards to individuals who report certain violations of the Fireworks Control Law.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Hawaii Fire Department, Honolulu Fire Department, Maui Fire Department, Village Park Community Association, Hawaiian Humane Society, Pearl City Neighborhood Board No. 21, Poi Dogs & Popoki, 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 Budget and Finance.

Your Committee finds that the use of illegal fireworks has substantially increased in recent years. Your Committee further finds that additional enforcement and deterrence 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 finds that consideration of alternative methods of deterring the illegal use of fireworks and promoting compliance with the Fireworks Control Law, such as the one proposed by this measure, is warranted.

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 H.B. No. 1969, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1969, 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, none. Excused, 1 (Morikawa).

#### **SCRep. 246-22 Consumer Protection & Commerce on H.B. No. 2273**

The purpose of this measure is to:

- (1) Specify that certain violations of the Fireworks Control Law be considered a violation of noise control rules, which may subject the violator to a citation under the State's noise pollution law; and
- (2) Appropriate funds to the Department of Health to assist in the enforcement of these violations.

Your Committee received testimony in support of this measure from the Pearl City Neighborhood Board No. 21, Hawaiian Humane Society, Poi Dogs & Popoki, Kihei Community Association, 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 Budget and Finance.

Your Committee finds that despite permitting requirements and strict time limitations, the illegal use of fireworks continues seemingly unabated throughout the State. Your Committee further finds that the illegal use of fireworks creates excessive noise, which can damage hearing, trigger mental health episodes in individuals with post-traumatic stress disorder, and disrupt children and the elderly. Your Committee also finds that subjecting certain violations of the Fireworks Control Law to the citations and civil penalties under the State's noise pollution laws, which subject violators to much higher penalties, may help with compliance statewide.

Your Committee notes that the enforcement mechanism proposed by this measure is meant to address the most repeated and egregious offenders of the Fireworks Control Law; it is intended to focus on those offenders who the Department of Health would best be able to monitor. To promote compliance with the Fireworks Control Law, your Committee finds that alternative enforcement mechanisms or penalties need to be explored. This measure represents just one approach that could be considered. Your Committee's expectation is that all counties would be included in the enforcement efforts contemplated by this measure.

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 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. 2273, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2273, 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 (Morikawa).

#### **SCRep. 247-22 Consumer Protection & Commerce on H.B. No. 2275**

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 Hawaii State Fire Council, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Fire Department, Honolulu Fire Department, Maui Fire Department, Pearl City Neighborhood Board No. 21, Poi Dogs & Popoki,

Hawaiian Humane Society, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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 and respiratory distress caused by the air pollution, and avoid retraumatizing persons with the loud explosions.

Your Committee finds that this measure proposes to amend certain fireworks offenses to infractions, which would be non-criminal, non-jailable offenses, punishable by a fine. Lowering certain fireworks offenses may be a more effective enforcement tool for law enforcement than the existing misdemeanor-level offenses, particularly given various evidentiary issues that have arisen in court. Your Committee notes that this bill is meant to target a large percentage of fireworks violators, and thus serve as a deterrent to would-be violators and engender overall compliance with the Fireworks Control Law.

Your Committee has amended this measure by:

- (1) Changing the range of fines for fireworks violations to a single unspecified fine amount; and
- (2) Changing the effective date to January 1, 2050, to encourage further discussion.

Your Committee has heard testimony that the fine for infractions proposed by this measure, as introduced, may be too low. As this measure is meant to act as a deterrent to would-be violators, your Committee believes more discussion regarding the fine amount is warranted. Your Committee notes that a fine in the range of \$100 to \$250 may be preferable, as these amounts are similar to the fines for driving while using a cell phone and the typical speeding ticket fines. Should your Committee on Finance consider this measure, your Committee respectfully requests that it consider whether fines ranging from \$100 to \$250 may be most appropriate for fireworks infractions.

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. 2275, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2275, 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 (Morikawa).

#### **SCRep. 248-22 Housing on H.B. No. 1513**

The purpose of this measure is to:

- (1) Adjust the eligibility requirements for the income tax credit for low-income household renters;
- (2) More effectively target the tax credit toward lower-income taxpayers by creating tax brackets that will phase out the credit as a taxpayer's income rises; and
- (3) Adjust the amount of the credit every three years by using a percentage based on the urban Hawaii Consumer Price Index.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawaii, League of Women Voters of Hawaii, IMUA Alliance, Democratic Party of Hawai'i Education Caucus, Hawaii Children's Action Network Speaks!, Parents and Children Together, AARP Hawai'i, and six individuals. 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 homelessness is a serious problem in the State, with data indicating that Hawaii has the highest rate of homelessness per capita in the nation. Your Committee finds that the eligibility threshold for the income tax credit for low-income household renters was last adjusted in 1989 and the credit amount allowed was last adjusted in 1981. Since 1989, the cost of housing has increased by three hundred ninety percent and therefore it is fitting to adjust the eligibility requirements and increase the amount of the tax credit to help low-income renters pay for the high costs of housing in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the credit is per qualified exemption and based on the taxpayer's federal adjusted gross income;
- (2) Clarifying that taxpayers who pay for rent in a residence that is partially or wholly exempted from real property tax through a homeowner's exemption may claim the tax credit;
- (3) Clarifying that the tax credit is to be adjusted every third taxable year based on any change in the urban Hawaii Consumer Price Index for June of the calendar year when the credit was last adjusted; and
- (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. 1513, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1513, 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 (McDermott).

#### **SCRep. 249-22 Housing on H.B. No. 2444**

The purpose of this measure is to condition a county's authority to exercise state housing powers upon the county's continued compliance with provisions regarding the acceptance of the dedication of infrastructure and public highways in affordable housing developments.

Your Committee received testimony in opposition to this measure from one member of the Maui County Council. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that this measure takes steps to address a thirty-year-old program that has existed at the Villages of Kapolei, where the City and County of Honolulu has not accepted dedication of infrastructure improvements constructed by a Hawaii Housing Finance and Development Corporation predecessor agency. Your Committee further finds that although the City and County of Honolulu receives the real property tax revenues derived, in part, from the State's infrastructure improvements, the Hawaii Housing Finance and Development Corporation must maintain those same improvements at an average cost to the Dwelling Unit Revolving Fund of more than \$1,000,000 per year. This measure will enable the Hawaii Housing Finance and Development

Corporation to make better use of the funds in the Dwelling Unit Revolving Fund for the development of new infrastructure for affordable housing projects in the State.

Your Committee has amended this measure by:

- (1) Limiting the condition related to a county's authority to exercise state housing powers to counties with a population greater than five hundred thousand;
- (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. 2444, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2444, 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 (McDermott).

#### **SCRep. 250-22     Housing on H.B. No. 2020**

The purpose of this measure is to facilitate greater homeownership opportunities for Hawaii residents by appropriating general funds into the Affordable Homeownership Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Hawaii Habitat for Humanity Association. You Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Act 227, Session Laws of Hawaii 2021, established the Affordable Homeownership Revolving Fund to provide loans for the development of affordable for-sale housing projects by nonprofit community development financial institutions and nonprofit housing development organizations. The appropriation of general funds into the Affordable Homeownership Revolving Fund by this measure will facilitate homeownership and expand self-help housing projects in the State.

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 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. 2020, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2020, 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 (McDermott).

#### **SCRep. 251-22     Housing/Water & Land on H.B. No. 1649**

The purpose of this measure is to address Hawaii's affordable housing needs by requiring:

- (1) State agencies to submit an annual report to the Governor's Coordinator on Homelessness on any vacant state land that is suitable for the construction of affordable housing within each agency's jurisdiction; and
- (2) The Governor's Coordinator on Homelessness to compile the reports and submit an annual report to the Legislature.

Your Committees received testimony in support of this measure from the Hawai'i Association of REALTORS. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness and Department of Land and Natural Resources.

Your Committees find that identification of vacant State land by state agencies in annual reports will assist housing entities and policymakers in identifying, assessing, and developing affordable housing. The compilation of the vacant state land information and submittal of this information, along with findings, recommendations, and any proposed legislation, to the Legislature will also better inform policymaking and aid in ascertaining the potential and feasibility of using the land to construct affordable housing.

Upon consideration, your Committees have amended this measure by:

- (1) Requiring state agencies to submit the annual reports to the Hawaii Housing Finance and Development Corporation and Department of Hawaiian Home Lands, rather than to the Governor's Coordinator on Homelessness;
- (2) Defining "vacant state land";
- (3) Requiring the Hawaii Housing Finance and Development Corporation and Department of Hawaiian Home Lands, rather than the Governor's Coordinator on Homelessness, to compile the state agency reports and submit annual reports to the Legislature;
- (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 Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1649, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1649, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, none. Excused, 3 (LoPresti, Takumi, McDermott).

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 252-22     Labor & Tourism on H.B. No. 1943**

The purpose of this measure is to:

- (1) Establish a fire safety working group to determine if a full-time state fire marshal's office would be more effective than the existing State Fire Council in planning, executing, and promoting fire safety-related programs and topics in the State; and
- (2) Require the working group to submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Honolulu Fire Department, Hawai'i Fire Department, State Fire Council, and Hawaii Fire Fighters Association.

Your Committee finds that Hawaii is the only state in the nation without a fire marshal's office. The responsibilities of the State Fire Council include facilitating the adoption of a state fire code; administering the reduced ignition propensity cigarette program; coordinating statewide fire and life safety training, education, and data collection programs; and serving as the focal point for the applications and administration of federal grant assistance. Your Committee further finds that these responsibilities are borne by the fire chiefs of the four counties and are in addition to the current operational duties of their county fire departments. This measure will result in a report to guide the Legislature on the efficacy of the State Fire Council's organizational structure in meeting its statutory responsibilities and help to identify if a state fire marshal's office would better serve the community.

Your Committee has amended this measure by:

- (1) Placing the working group within the Department of Labor and Industrial Relations rather than the Department of Public Safety for administrative purposes;
- (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. 1943, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1943, 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 (D. Kobayashi).

#### **SCRep. 253-22 Labor & Tourism on H.B. No. 2495**

The purpose of this measure is to prohibit an employer from entering into or requiring an employee to enter into a nondisclosure agreement pertaining to sexual harassment or sexual assault occurring in the workplace, at work-related events, between employees, or between an employer and an employee.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Hawai'i Civil Rights Commission, AAUW of Hawaii, Hawaii State Democratic Women's Caucus, Hawai'i Women Lawyers, and two individuals.

Your Committee finds that the silencing effect of confidentiality clauses or nondisclosure agreements shield serial offenders of sex discrimination, including sexual assault and sexual harassment, by allowing the pattern of misconduct to continue unabated and increasing the chance of impacting other women with similar abuse by the same offender. Your Committee further finds that the existing statute limits the prohibition to nondisclosure agreements that are a condition of employment. Removing that limitation broadens the applicability of the prohibition to encompass nondisclosure agreements entered into during employment or following employment.

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. 2495, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2495, 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 (D. Kobayashi).

#### **SCRep. 254-22 Labor & Tourism on H.B. No. 2240**

The purpose of this measure is to authorize general obligation bonds for the payment or prepayment of other post-employment benefits liability.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State's other post-employment benefits unfunded actuarial accrued liability as of July 1, 2021, stood at \$8,125,000,000, projected to be paid down through the year 2044. This measure seeks to provide a viable financing option for addressing and managing the unfunded liability and help to reduce the future financial strain on the State, counties, and taxpayers.

To address some of the risk that may accompany this financing strategy, the Department of Budget and Finance recommended that the definition of the annual required contribution be amended to require that other post-employment benefits bond debt be considered in the calculation of the annual required contribution. Your Committee recognizes that provisions relating to the annual required contribution, including its definition, were temporarily suspended through June 30, 2023, by Act 229, Session Laws of Hawaii 2021. Therefore, the requirement that bond debt be considered in the calculation of the annual required contribution should take effect on July 1, 2023.

Accordingly, your Committee has amended this measure by:

- (1) Requiring that other post-employment benefits bond debt be considered in the calculation of the annual required contribution;
- (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. 2240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2240, 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 (D. Kobayashi).

**SCRep. 255-22 Labor & Tourism on H.B. No. 2091**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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; Hawaii Health Systems Corporation; 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. 2091, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2091, 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 (D. Kobayashi).

**SCRep. 256-22 Labor & Tourism on H.B. No. 2092**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation; 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. 2092, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2092, 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 (D. Kobayashi).

**SCRep. 257-22 Labor & Tourism on H.B. No. 2093**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation; 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. 2093, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2093, 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 (D. Kobayashi).

**SCRep. 258-22 Labor & Tourism on H.B. No. 2094**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation; 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. 2094, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2094, 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 (D. Kobayashi).

**SCRep. 259-22 Labor & Tourism on H.B. No. 2095**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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.

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. 2095, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2095, 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 (D. Kobayashi).

**SCRep. 260-22 Labor & Tourism on H.B. No. 2096**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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.

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. 2096, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2096, 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 (D. Kobayashi).

**SCRep. 261-22 Labor & Tourism on H.B. No. 2097**

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 Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by:

- (1) Blanking out the appropriation amounts;
- (2) Changing the lapsing provision so that funds appropriated for fiscal year 2021-2022 shall not lapse at the end of that fiscal year, but all funds appropriated by this measure will lapse by June 30, 2023, if not expended or encumbered by that date; and
- (3) 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. 2097, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2097, 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 (D. Kobayashi).

**SCRep. 262-22 Labor & Tourism on H.B. No. 2098**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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.

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. 2098, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2098, 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 (D. Kobayashi).

**SCRep. 263-22 Labor & Tourism on H.B. No. 2099**

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 lapsing provision so that funds appropriated for fiscal year 2021-2022 shall not lapse at the end of that fiscal year, but all funds appropriated by this measure will lapse by June 30, 2023, if not expended or encumbered by that date; and
- (2) 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. 2099, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2099, 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 (D. Kobayashi).

**SCRep. 264-22 Labor & Tourism on H.B. No. 2100**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation; and Hawaii Government Employees Association, 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. 2100, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2100, 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 (D. Kobayashi).

**SCRep. 265-22 Labor & Tourism on H.B. No. 2101**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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, 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. 2101, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2101, 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 (D. Kobayashi).

**SCRep. 266-22 Pandemic & Disaster Preparedness on H.B. No. 1585**

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) Authorize the Governor to require counties to obtain approval prior to issuing any emergency order, rule, or proclamation;
- (4) Clarify that a state of emergency may be extended or terminated by a separate or supplementary proclamation;
- (5) Authorize the Legislature to terminate a state of emergency, in part or in whole, by an affirmative two-thirds vote; and
- (6) Specify that prohibitions on price increases of essential commodities during a severe weather warning expire seventy-two hours after the effective date and time of the initial declaration or any supplemental proclamation.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO and State of Hawaii Organization of Police Officers. 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, Common Cause Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that the coronavirus disease 2019 (COVID-19) and its variants not only upended our way of life, it also brought to light the need to reform the legal framework governing emergency management in the State. As the State enters 2022 still under a state of emergency, your Committee believes that there needs to be more checks and balances in regard to the emergency management powers to ensure the welfare and safety of the residents 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1585, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1585, 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. 267-22 Pandemic & Disaster Preparedness on H.B. No. 1587**

The purpose of this measure is to establish the intrastate mutual aid system to allow counties to share resources in times of emergency or in preparation for emergencies.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency.

Your Committee finds that certain emergencies transcend political jurisdictional boundaries and that intergovernmental coordination is essential for the protection of lives and property. Emergencies are unpredictable and require state and county governments to work together to ensure the safety of the State's citizens. This measure does so by establishing a framework to allow for the provision of intrastate mutual aid during an emergency in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii Emergency Management Agency, instead of the Intrastate Mutual Aid Committee, develops guidelines and procedures when a responding member county designates in writing all assistance it provides to a requesting member county;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1587, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1587, 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. 268-22 Pandemic & Disaster Preparedness on H.B. No. 1588**

The purpose of this measure is to:

- (1) Establish the Resilient Hawaii Revolving Loan Fund to make low- or no-interest loans to local governments and nonprofit organizations to conduct hazard mitigation and resiliency projects, using funds anticipated to be available under the federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act;
- (2) Establish positions to administer the Resilient Hawaii Revolving Loan Fund; and
- (3) Appropriate funds for the establishment and administration of the Resilient Hawaii Revolving Loan Fund.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that the federal government enacted the Safeguarding Tomorrow through Ongoing Risk Management Act, Public Law 116-284, on January 1, 2021, which authorizes the Federal Emergency Management Agency to provide capitalization grants to states to establish a revolving loan fund to provide hazard mitigation assistance to reduce risks relating to disasters and natural hazards. Your Committee believes that given the unpredictable nature of emergencies, the State should take advantage of as many federal funding opportunities as possible to ensure the safety of the State's citizen.

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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1588, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1588, 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. 269-22 Pandemic & Disaster Preparedness on H.B. No. 2119**

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

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 this measure codifies the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2119, H.D. 1, and be referred to your Committee on Corrections, Military, & Veterans.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Cullen, Woodson).

**SCRep. 270-22 Pandemic & Disaster Preparedness on H.B. No. 2120**

The purpose of this measure is to:

- (1) Clarify current practices, policies, and procedures for the State Emergency Management Program and make them consistent with prevailing emergency management best practices; and
- (2) Highlight the intent of the State to address environmental and climate impacts on emergency management.

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 portions of the emergency management laws of Hawaii are antiquated and need to be updated to allow the Hawaii Emergency Management Agency to efficiently and effectively carry out its duties. This measure will update existing law to be consistent with current practices, policies, and procedures to ensure that the Hawaii Emergency Management Agency is adhering to best practices of emergency management, thereby providing the best protection to the citizens 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2120, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2120, 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 (Cullen, Woodson).

**SCRep. 271-22 Culture, Arts, & International Affairs on H.B. No. 1818**

The purpose of this measure is to establish April 27 of each year as Brother Joseph Dutton Day to honor the hard work and dedication of Brother Joseph Dutton in helping residents of Kalaupapa.

Your Committee received testimony in support of this measure from the Department of Health and five individuals.



Your Committee finds that Brother Joseph Dutton arrived in Kalaupapa in July of 1886 and assisted Father Damien with the administration and caring of the residents of Kalaupapa in the last years of Father Damien's life. Your Committee further finds that after Father Damien's death, Brother Joseph Dutton continued Father Damien's activities in service to the thousands of Hansen's Disease patients living in the Kalaupapa settlement. This measure recognizes and honors the life of Brother Joseph Dutton by establishing April 27 of each year as a special day of observation.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 1818, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1818, 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, none.

#### **SCRep. 272-22 Culture, Arts, & International Affairs on H.B. No. 1924**

The purpose of this measure is to appropriate funds for the State of Hawaii Museum of Monarchy History and the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, The Friends of Iolani Palace, and ten individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, Bernice Pauahi Bishop Museum, and Society for Hawaiian Archaeology.

Your Committee finds that the State of Hawaii Museum of Monarchy History, also known as Iolani Palace, and the State of Hawaii Museum of Natural and Cultural History, also known as the Bernice Pauahi Bishop Museum, are important repositories of the history and culture of Hawaii. Your Committee further finds that appropriating funds to ensure the continued operation of these important institutions is in the best interest of 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 is in accord with the intent and purpose of H.B. No. 1924 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, none.

#### **SCRep. 273-22 Culture, Arts, & International Affairs on H.B. No. 1957**

The purpose of this measure is to establish June 14 of each year as "Medical Cannabis Day" in recognition of the State's authority over the intrastate regulation of cannabis for medical use and in honor of Hawaii's growing number of patients who are finding relief through the medical use of cannabis.

Your Committee received testimony in support of this measure from the Hawai'i Cannabis Industry Association, Akamai Cannabis Clinic, and one individual.

Your Committee finds that on June 14, 2000, Governor Cayetano signed Hawaii's Medical Use of Cannabis Act into law. Your Committee further finds that this was the first time a state authorized the medical use of cannabis by means of the legislative process. The significance of this day was recognized by proclamation by the mayors of all four counties in 2020 and 2021 and by the governor in 2021. This measure recognizes the State's authority over the intrastate regulation of cannabis and honors the growing number of patients in the State who have found relief through the medical use of cannabis.

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. 1957 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, 1 (Ward). Excused, none.

#### **SCRep. 274-22 Culture, Arts, & International Affairs on H.B. No. 2056**

The purpose of this measure is to appropriate funds to support the Bernice Pauahi Bishop Museum.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Hawai'i Tourism Authority, and Society for Hawaiian Archaeology. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Bernice Pauahi Bishop Museum is a distinguished scientific, cultural, and educational institution for the State, whose mission is to perpetuate Hawaii's natural and cultural heritage. Your Committee further finds that the COVID-19 pandemic has significantly reduced the Bishop Museum's operating revenue due to the drop in attendance. Your Committee finds that it is appropriate and necessary to appropriate funds to support the Bishop Museum's core functions and support ongoing operations to preserve irreplaceable cultural treasures.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 2056, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2056, 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, none.

#### **SCRep. 275-22 Culture, Arts, & International Affairs on H.B. No. 2202**

The purpose of this measure is to designate the 'ōhi'a lehua as the state endemic tree.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Coordinating Group on Alien Pest Species, Big Island Invasive Species Committee, Wild Kids, and numerous individuals.

Your Committee finds that ‘ōhi‘a lehua is a keystone species of Hawaii's native forests and is endemic to the State's six largest islands. Your Committee further finds that forests dominated by ‘ōhi‘a lehua provide homes to a wide variety of species, including the Hawaiian hoary bat and many of Hawaii's native plants and invertebrates. In addition to its ecological importance, ‘ōhi‘a lehua holds a significant place in Native Hawaiian history and culture, represented in many chants, songs, and dances. The ‘ōhi‘a flower is prized in lei and is featured in art and clothing design, and the wood of the ‘ōhi‘a lehua was preferred for papa ku‘i ‘ai (poi boards) and is still regarded as a high-quality wood for construction and furniture. Your Committee finds it appropriate to recognize the importance of the ‘ōhi‘a lehua to the State and bring awareness to current threats to ‘ōhi‘a lehua by designating the ‘ōhi‘a lehua as the state endemic tree.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2202, 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, none.

#### **SCRep. 276-22 Culture, Arts, & International Affairs on H.B. No. 2329**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to place historical markers in the State to indicate significant sites in the life of President Barack Obama; and
- (2) Appropriate funds for this purpose.

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

Your Committee finds that it is important and appropriate that the State celebrate and commemorate President Obama's early life in Hawaii.

Your Committee has amended this measure by:

- (1) Requiring the Department of Land and Natural Resources, in consultation with the Hawaii Tourism Authority and State Foundation on Culture and the Arts, to determine the appropriate location for the historical markers, rather than requiring the placement of the historical markers at specifically identified locations;
- (2) Changing the effective date to July 1, 2044, 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. 2329, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2329, 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, none.

#### **SCRep. 277-22 Culture, Arts, & International Affairs on H.B. No. 2404**

The purpose of this measure is to establish a Compacts of Free Association Census Task Force to enact a census-taking project to count the number of Compacts of Free Association residents in the State.

Your Committee did not receive any testimony on this measure.

Your Committee finds that undertaking a census-taking project to count the number of Compacts of Free Association residents in the State is in the best interest of the State.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 2404, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2404, 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, none.

#### **SCRep. 278-22 Culture, Arts, & International Affairs on H.B. No. 2445**

The purpose of this measure is to designate April of each year as Volunteer Month in Hawaii.

Your Committee received testimony in support of this measure from the Hawaii Firearms Coalition and one individual.

Your Committee finds that volunteers provide valuable support to their communities, donating time and resources and providing services such as fundraising; preparing, distributing, or serving food; mentoring youth; supplying transportation; supporting and staffing fire and ambulance departments; and providing medical care. Your Committee further finds that, on a national level, April has long been dedicated to the recognition of the services volunteers provide in their communities. This measure honors the good works performed by volunteers and encourages volunteerism by designating April of each year as Volunteer Month in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 2445, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2445, 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, none.

#### **SCRep. 279-22 Water & Land/Energy & Environmental Protection on H.B. No. 1669**

The purpose of this measure is to establish a pilot project in which a working group convened by the Office of Planning and Sustainable Development will develop the framework for a Waikiki Adaptation and Resilience Plan that addresses the projected impacts of projected climate change and sea level rise in the Waikiki special district.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, University of Hawai'i Sea Grant College Program and the Climate Resiliency Initiative, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Coalition to Mitigate the Impacts of Sea Level Rise, and nine individuals. Your Committees received comments on this measure from the Department of Budget and Finance and Hawai'i Lodging & Tourism Association.

Your Committees find that Waikiki is a significant asset to the State and faces unique challenges and opportunities related to coastal erosion and sea level rise.

Your Committees have amended this measure by:

- (1) Requiring the Office of Planning and Sustainable Development to establish the pilot project directly, rather than through the convening of a working group, and amending the scope of the Waikiki Adaptation and Resilience Plan;
- (2) Deleting the dissolution date and other references to the working group;
- (3) Deleting the amounts of the appropriations;
- (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.

Your Committees respectfully request that should your Committee on Finance choose to hear this measure, it consider appropriating \$400,000 for the development of a Waikiki Adaptation and Resilience Plan. Your Committees also note that the Office of Planning and Sustainable Development estimates it would need one full-time equivalent exempt position with an annual salary of approximately \$81,744 to adequately lead, manage, and procure consultant services to implement the activities in this measure.

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. 1669, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1669, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7; Ayes with Reservations (Kong). Noes, none. Excused, 1 (McDermott).

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Tokioaka).

#### **SCRep. 280-22 Water & Land on H.B. No. 2162**

The purpose of this measure is to allow persons possessing a mooring permit for a state small boat harbor to transfer the permit to a new vessel owner upon the sale of the mooring permittee's vessel, subject to certain requirements.

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

Your Committee finds that, under existing law, a use permit, including a mooring permit, for a state small boat harbor issued by the Department of Land and Natural Resources is automatically terminated when transferred, either by itself or as part of the sale of a vessel. Your Committee further finds that mooring permits for state small boat harbors are issued by order of seniority according to wait lists maintained by the Department. This measure establishes a procedure to allow for the transfer of a mooring permit while ensuring a seller is not inflating the sale price of a vessel because of a mooring permit.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2162, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2162, 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. 281-22 Water & Land on H.B. No. 1931**

The purpose of this measure is to bolster the efforts by the Department of Land and Natural Resources to develop mosquito control measures by appropriating funds for the establishment of one full-time equivalent planner position in the Department of Land and Natural Resources related to mosquito control.

Your Committee received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, The Nature Conservancy - Hawai'i and Palmyra, American Bird Conservancy, and fourteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that non-native mosquitos pose significant threats to Hawaii, including adverse effects on human health, conservation, and the economy. Residents and visitors alike face health threats resulting from the transmission of mosquito-borne diseases. Furthermore, mosquito-borne diseases have had a devastating impact on Hawaii's native bird populations and continue to be the leading driver in the ongoing extinction risk of most of Hawaii's remaining endemic honeycreepers.

Your Committee has amended this measure by:

- (1) Recognizing the Department of Health's collaboration with the Department of Land and Natural Resources regarding mosquito control efforts;
- (2) Changing the appropriation to establish a program specialist position, rather than a planner position;
- (3) Changing its effective date to July 1, 2050, 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1931, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1931, 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 (Ganaden, Kong, McDermott).

#### **SCRep. 282-22 Water & Land on H.B. No. 2135**

The purpose of this measure is to allow the Department of Hawaiian Home Lands to directly assume review of proposed projects relating to lands under its jurisdiction, rather than consulting the Department of Land and Natural Resources for the effect of those projects upon historic properties or burial sites, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and one individual. Your Committee received testimony in opposition to this measure from the Historic Hawai'i Foundation and Society for Hawaiian Archaeology.

Your Committee finds that this measure would streamline the process of reviewing certain proposed projects by allowing the Department of Hawaiian Home Lands to assume such responsibility, instead of requiring it to consult with the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Adding as a condition for the allowance under this measure, a requirement that the Department of Hawaiian Home Lands provide to the Department of Land and Natural Resources:
  - (A) Written notice that the Department of Hawaiian Home Lands has employed a qualified preservation officer;
  - (B) A description of the procedures that the Department of Hawaiian Home Lands will employ to ensure that all required documentation is provided; and
  - (C) Written notice of the date on which the Department of Hawaiian Home Lands will assume responsibility for project review and post this information on the Department of Hawaiian Home Lands' website; provided that the written notice is provided at least forty-five days prior to the date on which it assumes such responsibility;
- (2) Reserving to the Department of Land and Natural Resources the authority to review projects affecting properties located in a designated historic district;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2135, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2135, 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. 283-22 Water & Land on H.B. No. 1988**

The purpose of this measure is to prohibit the sale, import, or export of coral products in Hawaii, with certain exceptions.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from Maui Divers of Hawaii, Ltd.; Clean The Pacific; and three individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of the Attorney General, For the Fishes, Friends of Hanauma Bay, and one individual.

Your Committee finds that coral reefs form a vital part of the marine ecosystem of Hawaii and other islands and coastal areas throughout the tropics and deserve greater protection.

Your Committee has amended this measure by:

- (1) Addressing constitutional concerns about the dormant commerce clause, clarifying the local interest to Hawaii in protecting coral;
- (2) Exempting coral products imported, exported, sold, or offered for sale for state-permitted harvesting and coral products expressly authorized by federal law or federal permit;
- (3) Adding a definition of "coral";
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1988, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1988, 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, none. Excused, 3 (Ganaden, Kong, McDermott).

**SCRep. 284-22 Water & Land on H.B. No. 1436**

The purpose of this measure is to expand the authority of the counties to regulate the transfer of development rights to protect areas vulnerable to sea level rise, coastal erosion, storm surge, and flooding, thereby facilitating the potential movement of development away from at-risk areas to locations more appropriate for development.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and one member of the Maui County Council.

Your Committee finds that this measure adds an important voluntary tool to the range of tools that are needed to better manage vulnerable coastal and low-lying lands and avoid loss of life and property due to the hazards posed by climate change.

Your Committee has amended this measure by:

- (1) Amending section 46-161, Hawaii Revised Statutes, to codify the legislative intent and purpose of this measure;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1436, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1436, 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. 285-22 Water & Land on H.B. No. 1671**

The purpose of this measure is to create a temporary subcommittee of the Land Use Commission to review land study bureau classifications and ratings of lands located in agricultural districts.

Your Committee received testimony in support of this measure from the Land Use Commission. Your Committee received comments on this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Office of Information Practices, Hawai'i Farm Bureau, Supersistence, and League of Women Voters of Hawaii.

Your Committee finds that the Land Study Bureau classifications and ratings for agricultural lands were completed decades ago and were based on large-scale agriculture operations, primarily for sugarcane and pineapple. Your Committee further finds that currently, there is no method to contest Land Study Bureau ratings on specific parcels of land. In some instances, the Land Study Bureau ratings have proven inaccurate or outdated.

Your Committee believes that this measure would provide a much needed mechanism for landowners to contest the Land Study Bureau rating of their land and provide significant equity in the land use process. Your Committee notes that the proposed subcommittee is intended to be a temporary, "stop-gap" measure to handle the inequities in the Land Study Bureau system until a more modern and comprehensive study can be performed and new ratings system adopted.

Your Committee has amended this measure by:

- (1) Clarifying the subcommittee's exemption from part I of chapter 92, Hawaii Revised Statutes (Sunshine 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1671, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1671, 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. 286-22 Water & Land on H.B. No. 2034**

The purpose of this measure is to:

- (1) Remove county councils as the nominating authority for members of the Hawaii Community Development Authority who serve as representatives of the Heeiea, Kalaheo, and Kakaako community development districts; and
- (2) Allow the President of the Senate and Speaker of the House of Representatives to nominate representatives of each of the three community development districts.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Community Development Authority.

Your Committee finds that this measure allows the State to retain greater authority over the Hawaii Community Development Authority, which is a state-level agency.

Your Committee has amended this measure by:

- (1) Further modifying the composition of the Hawaii Community Development Authority by:
  - (A) Adding the Director of Business, Economic Development, and Tourism;
  - (B) Removing the Chairperson of the Hawaiian Homes Commission as a member;
  - (C) Reducing the number of resident representative members of each community development district by one;
  - (D) Making the director of planning and permitting of each county a voting, rather than a nonvoting, member;
  - (E) Increasing the number of nominees to be submitted by the President of the Senate and Speaker of the House of Representatives for each of the at-large members by one;

- (F) Decreasing the number of nominees to be submitted by the President of the Senate and Speaker of the House of Representatives for each community development district representative from nine to three; and
- (G) Deleting one at-large member to be appointed by the Governor;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2034, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2034, 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. 287-22 Water & Land on H.B. No. 2332**

The purpose of this measure is to exempt the granting of easements on public lands from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; Hawaii Farm Bureau; Hawaii Aquaculture & Aquaponics Association; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that this measure is intended in part to facilitate 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, where both agencies have agreed to the transfer but the lack of a documented easement across the land has impeded the transfer.

Your Committee has amended this measure by:

- (1) Allowing, rather than requiring, the granting of easements on public lands to be exempted from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements;
- (2) Allowing the government agency that grants the easements to notify in writing the county with jurisdiction to process and approve the easements of the government agency's intent to invoke this exemption;
- (3) Changing its effective date to July 1, 2050, 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2332, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2332, 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 (Ganaden, Kong, McDermott).

#### **SCRep. 288-22 Water & Land on H.B. No. 2163**

The purpose of this measure is to:

- (1) Establish a state boating facility lease pilot program within the Department of Land and Natural Resources; and
- (2) Clarify that a private partner under lease with the Department may assist with the development, management, and maintenance of a state boating facility.

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 finds that the COVID-19 pandemic revealed that the Department of Land and Natural Resources lacks the flexibility and capacity to adjust business operations in a timely manner based on changing market conditions. This measure is a step in providing greater flexibility to the Department.

Your Committee has amended this measure by:

- (1) As an alternative option under the pilot program, authorizing the Board of Land and Natural Resources to enter into a qualified management agreement, to be implemented and managed by the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, for private management and operation of one small boat harbor either partially or in its entirety, and fast lands and submerged lands within it;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2163, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2163, 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, B. Kobayashi, Morikawa). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 289-22 Energy & Environmental Protection/Water & Land on H.B. No. 1523**

The purpose of this measure is to exclude the installation of roof-mounted photovoltaic or solar water heater systems from mandatory review under chapter 6E, Hawaii Revised Statutes, by the State Historic Preservation Division.

Your Committees received testimony in support of this measure from the Hawaii Solar Energy Association. Your Committees received testimony in opposition to this measure from the Historic Hawai'i Foundation. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that renewable energy is critical in protecting Hawaii's environment and securing the State's clean energy future. Adding renewable energy technology to historical buildings may aid in their preservation by lowering carbon emissions and helping the State achieve its renewable energy goals.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 1523, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1523, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 8; Ayes with Reservations (Matayoshi, Tokioka). Noes, none. Excused, none.

Water & Land: Ayes, 7; Ayes with Reservations (Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 290-22 Energy & Environmental Protection on H.B. No. 1443**

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 a Climate Change Mitigation Special Fund; and
- (3) Specify that the impact fees collected shall be deposited to the credit of the general fund until June 30, 2024, at which time the impact fees shall be deposited to the credit of the Climate Change Mitigation Special Fund.

Your Committee received testimony in support of this measure from the Maui County Council, one member of the Maui County Council, Ulupono Initiative, Imua Alliance, Hawaii Electric Vehicle Association, Wild Kids, and two individuals. Your Committee received testimony in opposition to this measure from the American Property Casualty Insurance Association, Avis Budget Group, Maui Hotel and Lodging Association, Enterprise Holdings, Hawai'i Lodging and Tourism Association, and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Department of Transportation, and Office of Planning and Sustainable Development.

Your Committee finds that tourism has a significant impact on the State's environment and public services. Specifically, the impacts of cars, buses, shuttles, and other road vehicles, which emit carbon dioxide and other greenhouse gases, contribute to climate change. Establishing fees that have an environmental focus will help manage the impacts of tourism on the health of the environment.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 1443, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1443, 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 (Matayoshi). Noes, 1 (Tokioka). Excused, none.

#### **SCRep. 291-22 Energy & Environmental Protection on H.B. No. 1642**

The purpose of this measure is to require deposit beverage distributors, glass container importers, and distributors or importers of beverage containers that sell, offer for sale, or distribute beverage containers in the State to meet minimum postconsumer recycled content requirements by certain deadlines.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawai'i Department of Environmental Management, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and Wine Institute. Your Committee received comments on this measure from the American Beverage Association, Zero Waste Hawai'i Island, B.E.A.C.H., American Chemistry Council, and International Bottled Water Association.

Your Committee finds that minimum postconsumer recycled content requirements for beverage containers are needed to reduce waste, transition the State toward a circular economy, and encourage interest in recycling among deposit beverage distributors. This measure will increase the demand for recycled products and create additional incentives to redirect deposit beverage containers away from landfills and toward recycling.

Your Committee has amended this measure by:

- (1) Narrowing the scope of the postconsumer recycled content requirements to deposit beverage distributors for deposit beverage containers sold, offered for sale, or distributed in the State;
- (2) Extending the deadlines for deposit beverage distributors to meet annual minimum postconsumer recycled content requirements;
- (3) Inserting language that exempts plastic caps, plastic lids, and labels from minimum postconsumer recycled content requirements;
- (4) Changing the effective date to July 1, 2100, 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. 1642, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1642, 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 (Hashem, Matayoshi).

#### **SCRep. 292-22 Energy & Environmental Protection on H.B. No. 1528**

The purpose of this measure is to permanently establish and appropriate funds for a Compost Reimbursement Program and Compost Reimbursement Program Manager position within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Farmers Union United, Hawai'i Alliance for Progressive Action, Mulkern Landscaping and Nursery, Hawai'i Farm Bureau, Malama Kaua'i, Hawai'i Food+ Policy, and fourteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that composting plays an integral role in food and agricultural sustainability by adding valuable nutrients to the soil and reducing food waste. Additionally, recycling food waste into compost has many positive environmental benefits, such as eliminating the need for chemical fertilizers, reducing methane emissions generated from landfills, and promoting higher yields of agricultural crops. This measure promotes environmental awareness through composting and supports local farmers and ranchers in their efforts to reduce the State's greenhouse gas emissions.

Your Committee has amended this measure by:

- (1) Deleting language that would have established, specified the responsibilities of, and appropriated funds for a Compost Reimbursement Program Manager within the Department of Agriculture;
- (2) Changing the effective date to July 1, 2100, 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. 1528, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1528, 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. 293-22 Energy & Environmental Protection on H.B. No. 1842**

The purpose of this measure is to establish and appropriate funds for a Climate Change and Human Health Adaptation Coordinator within the Department of Health and other operating expenses.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that although climate change is a critical public health problem, steps can be taken to lessen climate change and reduce its impacts on human health and the environment. Many of the current climate change mitigation activities focus on infrastructure changes and resilience, but there has been insufficient activity that focuses on adaptation. This measure establishes a new position within the Department of Health to address climate change adaptation and ensure that the State is prepared to develop strategic climate monitoring, surveillance, and response systems to respond to present and future climate-related impacts.

Your Committee has amended this measure by:

- (1) Changing the title of the newly established position from Climate Change and Human Health Adaptation Coordinator to Climate Change and Human Health Adaptation Specialist and updating all references accordingly; and
- (2) Changing the effective date to July 1, 2100, 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. 1842, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1842, 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. 294-22 Energy & Environmental Protection on H.B. No. 1526**

The purpose of this measure is to:

- (1) Require each county to incorporate into its next integrated solid waste management plan revision a plan to divert, by January 1, 2025, all organic waste produced within the county by facilities generating more than a minimum amount of organic waste per year; and
- (2) Appropriate funds to reimburse the counties for incorporation of the new requirement into their plan revisions.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Farmers Union United, Hawai'i Alliance for Progressive Action, Mulkern Landscaping and Nursery, Hawai'i Food+ Policy, Malama Kaua'i, Life of the Land, Hawai'i SEED, and eighteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that organic material diverted from the State's solid waste stream can provide a steady supply of input material for the production of quality compost in each county. This measure will facilitate the production of compost as an agricultural input in the State and reduce organic materials in landfills and the production of methane gas emissions.

Your Committee has amended this measure by:

- (1) Amending the definition of "organic waste";
- (2) Moving the statutory amendment for organic waste diversion from section 342G-26(b), Hawaii Revised Statutes, to section 342G-26(c), Hawaii Revised Statutes, and removing the January 1, 2025, deadline;
- (3) Requiring the Department of Health to determine the minimum amount of organic waste that must be generated by a facility to make that organic waste subject to the diversion requirement;
- (4) Changing the effective date to July 1, 2100, to encourage further discussion; and
- (5) 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. 1526, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1526, 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. 295-22 Energy & Environmental Protection on H.B. No. 2255**

The purpose of this measure is to require agencies to:

- (1) Use public benefits fee administrator rebates where available for buildings and facilities; and
- (2) Prioritize building and facility appliances that meet the required standards to qualify for public benefits fee administrator rebates.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawai'i Energy, Climate Protectors Hawai'i, and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that increasing energy efficiency is one of the primary ways for the State to reach its renewable energy goals by 2045. By prioritizing the purchase of energy-efficient appliances and taking advantage of rebates for the purchase of energy-efficient equipment for state facilities, the State will demonstrate its commitment to clean energy and reduce its costs associated with energy consumption.

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. 2255 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. 296-22 Energy & Environmental Protection on H.B. No. 2089**

The purpose of this measure is to amend the definition of "renewable portfolio standard" to mean the percentage of renewable electrical energy generated, rather than sold, that is represented by renewable electrical energy.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Public Utilities Commission; Hawaii Clean Power Alliance; Ulupono Initiative; 350Hawaii.org; Blue Planet Foundation; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company.

Your Committee finds that the State has established a goal of reaching a one hundred percent renewable portfolio standard by 2045, with the intent to transition the State away from imported fossil fuels and toward renewable local resources that provide a secure source of affordable energy. The existing calculation of the renewable portfolio standard, which is based on electrical energy sales rather than on electrical energy generation, overestimates the amount of renewable energy serving Hawaii's electric utility customers. This measure ensures that the State's progress toward its energy and climate goals is accurately measured.

Your Committee has amended this measure by:

- (1) Excluding customer-sited, grid-connected fossil fuel generation from the definition of "renewable portfolio standard";
- (2) Expanding the events or circumstances that are beyond an electric utility company's reasonable control to include non-renewable energy generated by electric generation facilities over which or of which the electric utility company does not have direct control or ownership;
- (3) Changing the effective date to July 1, 2100, 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. 2089, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2089, 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. 297-22 Energy & Environmental Protection on H.B. No. 1810**

The purpose of this measure is to define what constitutes a quorum for the Environmental Advisory Council, including specifying the number of votes required to make any action of the Council valid.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and one individual.

Your Committee finds that although the Environmental Advisory Council is entitled to have up to fifteen members, there are currently only eleven members appointed and confirmed to the Council due to resignations, changes in positions, and term expirations. Because the minimum number of board members required for quorum is eight members, there have been instances where meetings have had to be cancelled due to the inability to meet the quorum requirement. This measure would lower the minimum number of members required to constitute a quorum and allow the Council to conduct business on a more regular basis.

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. 1810 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. 298-22 Energy & Environmental Protection on H.B. No. 2256**

The purpose of this measure is to:

- (1) Establish a Department of Environmental Protection on July 1, 2026;
- (2) Create a Department of Environmental Protection Working Group to address the logistics required for the State to establish a Department of Environmental Protection; and
- (3) Require the Department of Environmental Protection Working Group to submit a report to the Legislature prior to the convening of the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Department of Health, Honolulu Board of Water Supply, and two individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Hawaii State Energy Office.

Your Committee finds that Hawaii has no executive-level department dedicated to the mission of environmental protection and implementing the environmental policy goals enacted by the Legislature. Instead, these functions are dispersed among multiple state departments and agencies having differing missions that either do not focus on the importance of environmental protection or have internal conflicts. Creating an executive-level department dedicated to the protection of the State's environment and natural resources will lead to greater efficiency in addressing Hawaii's environmental issues in a timely and proactive fashion.

Your Committee has amended this measure by:

- (1) Adding the Comptroller, Director of Human Resources Development, and Director of Finance, or their respective designees, to the Department of Environmental Protection Working Group;
- (2) Changing the effective date to July 1, 2100, 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. 2256, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2256, 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. 299-22 Transportation on H.B. No. 1689**

The purpose of this measure is to:

- (1) Require shippers with knowledge that their cargo includes fireworks or articles pyrotechnic to report certain information to applicable county fire departments; and
- (2) Authorize county fire departments to enter shippers' vessels for the purpose of inspecting any shipment declared on the shipping manifest as fireworks or articles pyrotechnic.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Maui Fire Department, Honolulu Fire Department, Hawai'i Fire Department, Hawaiian Humane Society, Village Park Community Association, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Matson Navigation Company, Inc.

Your Committee finds that the transportation of fireworks to, from, and within the State requires the use of multiple modes or methods of transport, including interstate maritime transportation and intrastate trucking. Due to the diversity of transportation processes and modes and the health and safety of first responders, it is essential that accurate records are made and reported regarding imported fireworks shipments. This measure ensures an additional level of safety and security for the people of the State by providing comprehensive tracking of all shipments of fireworks imported into and within 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1689, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1689, 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, 1 (LoPresti).

#### **SCRep. 300-22 Transportation on H.B. No. 1403**

The purpose of this measure is to require and appropriate funds for the Department of Transportation, in collaboration with the County of Hawaii, to conduct site surveys on the island of Hawaii to identify the most suitable location for an alternate route in Puna below Highway 130.

Your Committee received testimony in support of this measure from the Department of Transportation, Mayor of the County of Hawai'i, one member of the Hawai'i County Council, County of Hawai'i Office of the Prosecuting Attorney, Ulupono Initiative, Sacred Heart Church Pahoia, Nanawale Community Association Board of Directors, Kalapana Seaview Estates Community Association, and numerous individuals. Your Committee received testimony in opposition to this measure from the Keaukaha-Pana'ewa Farmers Association, Kūpuna for the Mo'opuna, and seven individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands, Department of Budget and Finance, and one individual.

Your Committee finds that Keeau-Pahoia Road, or Highway 130, is the primary arterial and only access route into the southeastern portion of the Puna area. Due to this limited road access, the residents of Puna experience severe traffic congestion, which impacts the quality of life for residents and may also result in fatal delays of emergency services. This measure is a first step in providing an alternative for the residents of Puna to alleviate existing and future traffic congestion.

Your Committee has amended this measure by:

- (1) Specifying that in conducting the site surveys, land under the jurisdiction of the Department of Hawaiian Home Lands shall be excluded from consideration;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1403, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1403, 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 (LoPresti).

**SCRep. 301-22     Transportation on H.B. No. 1411**

The purpose of this measure is to:

- (1) Require that the transferee's and transferor's addresses be provided on the certificate of ownership when the title to a motor vehicle is transferred;
- (2) Clarify that the signature of the transferee and the signature of the transferor each serve as an attestation by that respective party as to the validity of the information on the certificate of ownership; and
- (3) Specify that providing false or fraudulent information subjects a party to penalties.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors, two members of the Kaua'i County Council, County of Kaua'i Department of Finance, County of Hawai'i Department of Environmental Management, Sacred Heart Church Pahoia, Nanawale Community Association Board of Directors, and seven individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that more than eight thousand vehicles are abandoned in Hawaii every year, causing an eyesore in communities and creating a financial burden to the counties. This measure seeks to reduce the number of abandoned vehicles in the State by implementing more accountability and making it easier to track down the proper owner of an abandoned vehicle.

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 H.B. No. 1411, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1411, 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, 1 (LoPresti).

**SCRep. 302-22     Transportation on H.B. No. 2184**

The purpose of this measure is to make an emergency appropriation to authorize additional funds for the Department of Transportation Highways Division's Special Maintenance Program.

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

Your Committee finds that the Department of Transportation Highways Division's Special Maintenance Program is a systematic maintenance program that prevents further and accelerated deterioration of highway facilities. Providing additional funding to the program will further stimulate the economy with additional maintenance and repair projects and increase the State's economic recovery.

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. 2184 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, 1 (LoPresti).

**SCRep. 303-22     Transportation on H.B. No. 2182**

The purpose of this measure is to reduce the membership of the State Highway Safety Council appointed by the Governor from twenty to ten.

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 Hawai'i Public Health Institute and Kauai Path, Inc.

Your Committee finds that the State Highway Safety Council advises the Governor on matters relating to the programs and activities of the State related to highway safety. There has been difficulty finding qualified and suitable candidates to serve as the Governor's appointees. This measure ensures that the State Highway Safety Council can continue to function effectively and efficiently by reducing the number of the Governor's appointees.

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 H.B. No. 2182, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2182, 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 (Nakamura). Noes, none. Excused, 1 (LoPresti).

**SCRep. 304-22     Transportation on H.B. No. 1452**

The purpose of this measure is to repeal the limitation on the amount that a county may increase the fee for certificates of registration for motor vehicles other than U-drive motor vehicles.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council. Your Committee received testimony in opposition to this measure from Enterprise Holdings. Your Committee received comments on this measure from the Tax Foundation of Hawaii and Avis Budget Group.

Your Committee finds that traffic congestion is a serious problem that negatively affects the quality of life for residents and visitors in Hawaii. As traffic congestion continues to increase, people are forced to spend more time sitting in vehicles. Adjustments to the registration fee for U-drive motor vehicles will create parity between U-drive vehicles and all other motor vehicles and provide additional resources to the counties to improve traffic conditions.

Your Committee has amended this measure by:

- (1) Subjecting U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles;
- (2) Restoring language that establishes a limit on the amount that a county may increase the fee for certificates of registration for motor vehicles other than U-drive motor vehicles and designating an unspecified amount for the limit;
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1452, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1452, 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 (LoPresti).

#### **SCRep. 305-22      Transportation on H.B. No. 1681**

The purpose of this measure is to:

- (1) Establish requirements and permitting procedures for transportation network companies operating in the State; and
- (2) Make permanent insurance requirements for transportation network companies and transportation network drivers.

Your Committee received testimony in support of this measure from the Department of Transportation; and Uber Technologies, Inc. Your Committee received testimony in opposition to this measure from the Hawaii Transportation Association. Your Committee received comments on this measure from the Hawaii Insurers Council.

Your Committee finds that statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network company drivers. This measure enhances access to important transportation options for residents and visitors of the State by establishing regulations and mandatory insurance requirements for transportation network companies and its drivers.

Your Committee has amended this measure by:

- (1) Clarifying the definitions of "transportation network company" and "transportation network company driver";
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1681, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1681, 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, 1 (LoPresti).

#### **SCRep. 306-22      Transportation on H.B. No. 2434**

The purpose of this measure is to require each water carrier to file a strategic plan with the Public Utilities Committee every five years.

Your Committee received testimony in support of this measure from the Department of Agriculture, Public Utilities Commission, and Ulupono Initiative. Your Committee received comments on this measure from Young Brothers, LLC.

Your Committee finds that because Hawaii is an island state, water carriers provide many critical services that affect the livelihood and well-being of residents. Requiring water carriers to file strategic plans every five years will facilitate increased transparency for water carriers regarding strategic direction and identify actions that focus on the water carrier's services, goals, and initiatives.

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 H.B. No. 2434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2434, 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, 1 (LoPresti).

#### **SCRep. 307-22      Transportation on H.B. No. 2180**

The purpose of this measure is to repeal sections 266-2.3 and 266-22, Hawaii Revised Statutes, for the purpose of deleting obsolete or unnecessary provisions.

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

Your Committee finds that because oversight of Kewalo Basin is under the purview of the Hawaii Community Development Authority, section 266-2.3, Hawaii Revised Statutes, should be repealed to reflect that shared permitting and expense items are wholly with the Authority. Additionally, because the Department of Transportation no longer owns any fireboats, section 266-22, Hawaii Revised Statutes, should be repealed.

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. 2180 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, 1 (LoPresti).

#### **SCRep. 308-22      Transportation/Housing on H.B. No. 2023**

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for certain transit-oriented development projects identified in the Hawaii Strategic Plan for Transit-Oriented Development.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawaii Housing Finance and Development Corporation, and one individual.

Your Committees find that the promotion of mixed-use development and affordable housing within transit-oriented development areas within the State is one of the most viable means for stimulating economic development opportunities and addressing the need for affordable housing. Since the establishment of the Hawaii Interagency Council for Transit-Oriented Development, the State has appropriated capital improvement project funds to support planning of transit-oriented development projects throughout the State. This measure further maintains and enhances the capacity to support planning of state and county transit-oriented development projects, including infrastructure assessments, mixed-use development, and affordable housing.

Your Committees note that the measure contains an appropriation amount of \$2,000,000 in general obligation bonds for transit-oriented development projects identified in the Hawaii Strategic Plan for Transit-Oriented Development and request that the amount be taken into consideration by your Committee on Finance.

Your Committees have amended this measure by:

- (1) Changing the amount of general obligation bonds issued for transit-oriented development projects to an unspecified amount;
- (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 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. 2023, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2023, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Transportation: Ayes, 9. Noes, none. Excused, none.

Housing: Ayes, 8. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 309-22 Culture, Arts, & International Affairs on H.B. No. 2346**

The purpose of this measure is to appropriate funds to the State Foundation on Culture and the Arts Artist Fellowship Program for the awarding of one-time fellowships to promising artists in the amount of not less than \$25,000.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that between 1995 and 2008, the State Foundation on Culture and the Arts provided fellowships in the areas of visual and performing arts. These fellowships provided recognition and financial support for individual artists and celebrated Hawaii's creativity. Your Committee further finds that investing in the State's cultural economy contributes to the State's overall economy. This measure appropriates funds that will enable the State Foundation on Culture and the Arts to support and recognize artists in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 2346, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2346, 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, none.

#### **SCRep. 310-22 Culture, Arts, & International Affairs on H.B. No. 1765**

The purpose of this measure is to authorize the issuance of general obligation bonds to assist the Bernice Pauahi Bishop Museum with a capital improvement project.

Your Committee received testimony in support of this measure from the Hawaiian Homes Commission, Papa Ola Lokahi, Kua'aina Ulu 'Auamo, 'Aha Ho'ona'auao 'Ōiwi Hawai'i, Iolani Palace, Native Hawaiian Chamber of Commerce, Institute for Native Pacific Education & Culture, Kanaeokana Network, and Society for Hawaiian Archaeology.

Your Committee finds that the Bernice Pauahi Bishop Museum is the largest museum in the State and the premier natural and cultural history institution in the Pacific. Your Committee further finds that additional funding is necessary to address badly damaged and deteriorated buildings on the Bishop Museum's campus that help preserve and protect the more than twenty-five million catalogued objects that represent the rich history and culture of the State and greater Pacific region.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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. 1765, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1765, 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, none.

#### **SCRep. 311-22 Culture, Arts, & International Affairs on H.B. No. 1923**

The purpose of this measure is to establish the Creative Arts Workforce Grant Program, to be administered by the State Foundation on Culture and the Arts.

Your Committee received testimony in support of this measure from SAG-AFTRA, IATSE Local 665, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; and State Foundation on Culture and the Arts.

Your Committee finds that the State's creative economy has been severely impacted by the COVID-19 pandemic, with Hawaii being one of the top five states that have job losses in this sector greater than the national average of 30.3 percent. Your Committee further finds that establishing a grant program to develop and support a creative arts workforce is in the State's best interest.

Your Committee has amended this measure by:

- (1) Requiring the State Foundation on Culture and the Arts to develop rules and guidelines for applying for and issuing Creative Arts Workforce grants;
- (2) Changing the effective date to July 1, 2044, 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. 1923, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1923, 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, none.

#### **SCRep. 312-22 Housing on H.B. No. 1826**

The purpose of this measure is to:

- (1) Establish the Long-Term Rental Assistance Pilot Program for Kupuna to provide long-term rental assistance to individuals who are over sixty-two years of age and are homeless or at imminent risk of becoming homeless; and
- (2) Appropriate funds for the Long-Term Rental Assistance Pilot Program, including two full-time equivalent public housing specialist positions within the Hawaii Public Housing Authority.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Partners In Care, AARP Hawai'i, Catholic Charities Hawai'i, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Executive Office on Aging.

Your Committee finds that homelessness among Hawaii's kupuna is a central part of the affordable housing needs in the State. The high cost of living in the State, the fixed income and complex health needs of older adults, rapidly rising rents, and the declining availability of affordable housing necessitate rental assistance for older adults.

Your Committee has amended this measure by:

- (1) Amending the age criteria to qualify for participation in the Long-Term Rental Assistance Pilot Program for Kupuna to individuals who are sixty-two years of age or older;
- (2) Making it voluntary for participants under the pilot program to participate in the Continuum of Care Coordinated Entry System for homeless services;
- (3) Specifying that the two full-time equivalent (2.0 FTE) public housing specialist positions are temporary positions;
- (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. 1826, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1826, 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 (McDermott).

#### **SCRep. 313-22 Housing on H.B. No. 2395**

The purpose of this measure is to authorize the issuance of general obligation bonds to be appropriated into and out of the Rental Housing Revolving Fund for redevelopment of the Department of Hawaiian Home Lands property located at 820 Isenberg Street, Honolulu, Hawaii, for rental housing for native Hawaiian beneficiaries.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Stanford Carr Development, LLC.

Your Committee finds that not all beneficiaries on the Department of Hawaiian Home Lands waiting list can afford to purchase a single family home. Your Committee finds that the 820 Isenberg Street property specified in this measure is a parcel of approximately two acres of land situated on the makai edge of the Old Stadium Park in Moiliili, Oahu, which is the site of the former Bowl-O-Drome bowling alley. The rental project will consist of two hundred seventy-eight affordable apartment units that will be set aside exclusively for native Hawaiian beneficiaries who earn from thirty percent to one hundred percent of the area median income. Your Committee finds that this project will provide beneficiaries of the Hawaiian Home Lands Trust with access to much needed affordable rental housing in urban Honolulu.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to June 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. 2395, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2395, 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 (McDermott).

**SCRep. 314-22 Housing on H.B. No. 1859**

The purpose of this measure is to appropriate funds for the State Rent Supplement Program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Catholic Charities Hawai'i, and Partners In Care. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that low-income renter households are cost burdened by housing costs, with many of these households dedicating over half of their monthly income to rent and utilities. According to testimony provided by the Hawaii Public Housing Authority, the State Rent Supplement Program keeps its participants housed and employed and currently keeps a majority of its participants from becoming homeless. Approximately seventy-five percent of participants who are age fifty and over and approximately fifty-five percent who are age sixty-two and over are being assisted from becoming homeless. Your Committee further finds that providing funds for the State Rent Supplement Program will enable eligible families to pay for part of their monthly rent, thereby helping at-risk individuals and families make ends meet and maintain their housing.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1859, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1859, 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 (McDermott).

**SCRep. 315-22 Housing on H.B. No. 2513**

The purpose of this measure is to set aside \$150,000,000 of funds in the Rental Housing Revolving Fund for projects or units in a mixed income rental project for persons and families with incomes between sixty-one percent and one hundred percent of the median family income.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and AARP Hawai'i. Your Committee received comments on this measure from Catholic Charities Hawai'i.

Your Committee finds that according to testimony from the Hawaii Housing Finance and Development Corporation, the development of affordable rentals for persons and families with incomes between sixty-one percent and one hundred percent of the median family income, otherwise referred as workforce rental housing, has not been historically feasible. Your Committee also finds that the Rental Housing Revolving Fund allows funding up to one hundred forty percent of the area median income. However, the Rental Housing Revolving Fund rarely gets used for families above sixty percent of the area median income, because the demand for funds from the Rental Housing Revolving Fund far exceeds the available funding for workforce rental housing needs.

Your Committee has amended this measure by:

- (1) Clarifying the use of funds in the Rental Housing Revolving Fund for projects or units in a mixed-income rental project for persons and families with incomes between sixty-one percent and one hundred percent of the median family income, including:
  - (A) Appropriating \$150,000,000 in general revenues for fiscal year 2022-2023 into the Rental Housing Revolving Fund, rather than stating the first \$150,000,000 in the Revolving Fund is to be used for projects or units for these persons and families;
  - (B) Permitting any unused funds in the Revolving Fund, as of June 30, 2023, to be used for other authorized rental housing projects for the purposes of the Revolving Fund; and
  - (C) Specifying that unused funds shall not lapse at the end of the 2022-2023 fiscal year;
- (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. 2513, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2513, 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 (McDermott).

**SCRep. 316-22 Housing on H.B. No. 2080**

The purpose of this measure is to authorize the transfer of excess tax-exempt general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii Housing Finance and Development Corporation.

Your Committee finds that tax-exempt funds cannot be used to finance affordable rental housing development because under United States Treasury regulations, tax-exempt funds cannot be used to finance projects that also use Low-income Housing Tax Credits, as there can be only one tax-exempt financing source per project. However, under United States Treasury regulations, tax-exempt bonds proceeds can be used for public infrastructure projects. Your Committee notes that financing of public infrastructure projects is an allowable use of the Hawaii Housing Finance and Development Corporation's Dwelling Unit Revolving Fund but not the Rental Housing Revolving Fund. Your Committee further finds that this measure will enable the Hawaii Housing Finance and Development Corporation to make expedient use of existing Rental Housing Revolving Fund balances for priority public infrastructure projects statewide.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2080, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2080, 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 (McDermott).

**SCRep. 317-22 Housing on H.B. No. 2239**

The purpose of this measure is to increase, from fifty percent to ninety percent, the minimum number 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.

Your Committee received testimony in opposition to this measure from the NAIOP Hawaii.

Your Committee finds that increasing the minimum number of residential units in a condominium project that must be offered for sale to prospective owner-occupants in a certain time period following the initial date of sale of the condominium may help alleviate supply shortages in Hawaii's housing market.

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. 2239, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2239, 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, 1 (McDermott).

**SCRep. 318-22 Education on H.B. No. 1942**

The purpose of this measure is to require the Department of Education to create a three-tiered student bus fare rate system for the Department's school bus program.

Your Committee received testimony in support of this measure from 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 Education, Department of Budget and Finance, and one individual.

Your Committee finds that the Department of Education provides regular bus service for qualified public school students to facilitate compliance with state and federal laws, which is essential for getting students to and from school, particularly for students who lack other transportation options or face hardship in obtaining transportation to school due to economic difficulty. Your Committee further finds that a student who qualifies for free lunch under the free and reduced price lunch program is eligible for a free bus pass. However, free bus passes do not extend to students who qualify for reduced lunch under the program. This measure creates a tiered student bus fare system to allow for comparable bus fare rates for students and households that qualify for reduced lunch under the free and reduced price lunch program.

Your Committee has amended this measure by:

- (1) Broadening the eligibility for free bus passes by specifying that students who qualify, based on the student's household eligibility, for free lunch or reduced lunch under the free and reduced price lunch program shall be eligible for a free bus pass;
- (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. 1942, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1942, 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 (Clark).

**SCRep. 319-22 Education on H.B. No. 2248**

The purpose of this measure is to amend the definition of "private schools" under the State's compulsory attendance law to require unlicensed but accredited private schools to annually submit health and safety documentation to the Hawaii Council of Private Schools.

Your Committee received testimony in support of this measure from the Hawaii Catholic Schools, Hawaii Association of Independent Schools, and one individual.

Your Committee finds that licensed schools in the State must submit annual verifications of health and safety information documents required by various state and county agencies. However, schools that are accredited but not licensed are not required to submit these annual verifications. Such documentation would only be verified during reaccreditation visits every five to ten years. This measure will increase transparency and accountability in the operation of private schools and help ensure that private schools follow best practices regarding student health and safety.

Your Committee has amended this measure by:

- (1) Adding the Hawaii Catholic Schools office as an entity responsible for reviewing the annual health and safety documentation; 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. 2248, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2248, 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 (Clark).

**SCRep. 320-22 Education on H.B. No. 2456**

The purpose of this measure is to:

- (1) Require and appropriate funds to the Department of Education to assign dedicated security personnel to serve at public elementary schools and public facilities that provide prekindergarten care; and
- (2) Require the Department of Education to seek federal grants to hire school resource officers and registered guards.



Your Committee received testimony in support of this measure from one individual. 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 and Department of Budget and Finance.

Your Committee finds that in recent years, several disturbing incidents have occurred relating to school safety. Your Committee further finds that elementary school students often lack the capacity to properly assess and identify the potential dangers posed by the presence of individuals who are not authorized to be present on a school's campus. This measure will ensure that children can learn in safe environments by providing security that will help deter the presence of unauthorized individuals from those environments.

Your Committee has amended this measure by:

- (1) Including school safety and security officers and school security attendants among the security personnel that the Department of Education shall assign to public elementary schools and public facilities that provide prekindergarten care;
- (2) Specifying that the Department of Education shall also seek federal grants to hire school safety and security officers and school security attendants;
- (3) Specifying that the appropriation to the Department of Education shall also be used for the provision of school safety and security officers and school security attendants at public elementary schools and state prekindergarten programs;
- (4) Changing its effective date to July 1, 2050; and
- (5) 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. 2456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2456, 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 (Ganaden). Noes, none. Excused, 1 (Clark).

#### **SCRep. 321-22 Education on H.B. No. 1994**

The purpose of this measure is to:

- (1) Establish the Shade Tree and Native Plants Program within the Department of Education; and
- (2) Appropriate funds for the Shade Tree and Native Plants Program and for an arborist position to support the Program.

Your Committee received testimony in support of this measure from Climate Protectors Hawaii, Hawaii Farm to School Hui, Oahu Farm to School Network, Malama Kaua'i, and three individuals. Your Committee received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that hotter temperatures induced by climate change affect a student's ability to play, gather, and learn outside while attending school. Your Committee further finds that one method to reduce the effect of hotter temperatures on students at public schools is to increase the tree canopy on school campuses, which will not only provide shade and heat reduction, but also will absorb storm water, clean the air, beautify campuses, and help reach county and state environmental goals. This measure will establish the Shade Tree and Native Plants Program to help grow native plant and fruit trees that will provide a comfortable shade in public school campuses throughout the State.

Your Committee has amended this measure by:

- (1) Providing the Department of Education the flexibility to implement the Shade Tree and Native Plants Program, rather than establishing requirements for the implementation of the Program; 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. 1994, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1994, 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 (Clark).

#### **SCRep. 322-22 Education on H.B. No. 2267**

The purpose of this measure is to appropriate funds to the Department of Education for the installation of air conditioning in certain public school classrooms.

Your Committee received testimony in support of this measure from the Department of Education, Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that hot classroom temperatures in Hawaii's public schools can adversely affect students by making them drowsy, irritable, and unmotivated. Additionally, studies show that while classroom temperatures over eighty degrees can negatively impact student achievement, temperatures in Hawaii's classrooms are regularly recorded at over one hundred degrees during certain periods of the school year.

Your Committee further finds that \$100,000,000 was appropriated for the Department of Education's heat abatement program through Act 47, Session Laws of Hawaii 2016. While the appropriation successfully funded heat abatement upgrades for over 1,300 public school classrooms, over 5,000 classrooms still require heat abatement improvements. This measure will appropriate funds for the installation of air conditioning in those classrooms who still require heat abatement improvements.

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. 2267, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2267, 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 (Clark).

**SCRep. 323-22 Education on H.B. No. 1562**

The purpose of this measure is to add the Director of Hawaii P-20 Partnerships for Education as an ex officio, nonvoting member to the Early Learning Board.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Education, Rainbow Family 808, and one individual. Your Committee received comments on this measure from the Executive Office on Early Learning and Early Learning Board.

Your Committee finds that the mission of Hawaii P-20 Partnerships for Education is to strengthen the education pipeline from early childhood through post-secondary education and training. Your Committee believes that the insight of the Director of Hawaii P-20 Partnerships for Education will be invaluable as part of 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. 1562, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1562, 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 (Clark).

**SCRep. 324-22 Education on H.B. No. 1939**

The purpose of this measure is to enhance the capacity and resources of the Executive Office on Early Learning by appropriating funds for a permanent business management officer and permanent contract specialist.

Your Committee received testimony in support of this measure from Hawaii Children's Action Network Speaks! and one individual. Your Committee received testimony in support of the intent of this measure from the Executive Office on Early Learning. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Early Learning Board.

Your Committee finds that there is significant benefit from substantial investment in high-quality early learning programs. Your Committee further finds that children who have accessed such programs are more likely to succeed in kindergarten, later in life, and well into adulthood. This measure will appropriate funds to enhance the capacity and resources of the Executive Office on Early Learning to continue to provide Hawaii's young children with high-quality early learning programs.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated to unspecified amounts;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to deliberate on this measure, your Committee respectfully requests that it consider appropriating \$170,000 for fiscal year 2022-2023 for the Executive Office on Early Learning, to be allocated as follows:

- (1) \$105,000 for one full-time (1.00 FTE) permanent business management officer; and
- (2) \$65,000 for one full-time (1.00 FTE) permanent contract specialist.

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. 1939, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1939, 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 (Clark).

**SCRep. 325-22 Education on H.B. No. 1999**

The purpose of this measure is to appropriate funds to the Department of Human Services for the Preschool Open Doors Program.

Your Committee received testimony in support of this measure from Rainbow Family 808; Hawaii Children's Action Network Speaks!; Hui for Excellence in Education; and one individual. 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 Department of Budget and Finance.

Your Committee finds that the Preschool Open Doors Program provides children from low to moderately-low income families with the opportunity to attend a group child care setting for up to one year prior to their entry into kindergarten to aid their transition into a school setting. This measure provides funding to continue to support the Preschool Open Doors Program.

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. 1999, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1999, 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 (Clark).

**SCRep. 326-22 Education on H.B. No. 2000**

The purpose of this measure is to appropriate funds to the School Facilities Authority for the construction of preschool facilities.

Your Committee received testimony in support of this measure from the School Facilities Authority; Rainbow Family 808; Hawaii Children's Action Network Speaks!; Hawaii State Teachers Association; Kamehameha Schools; Hui for Excellence in Education; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Executive Office on Early Learning.

Your Committee finds that high quality early education represents one of the best investments the State can make for Hawaii's collective future, especially that of Hawaii's young children. Your Committee further finds that to provide high quality early education, preschool facilities are needed throughout the

State. This measure will provide the necessary funding needed to begin the construction of preschool facilities to provide young children with high quality early education.

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. 2000, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2000, 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 (Clark).

#### **SCRep. 327-22 Education/Higher Education & Technology on H.B. No. 1848**

The purpose of this measure is to establish the Hawaii Student Journalism Protection Act, which:

- (1) Allows student journalists at public schools and colleges to exercise freedom of speech and freedom of the press in school-sponsored media; and
- (2) Protects advisors from retaliation for refusing to infringe upon student press freedom.

Your Committees received testimony in support of this measure from the Student Press Law Center, Hawaii Publishers Association, Hawaii Professional Chapter of the Society of Professional Journalists Hawaii Chapter, Big Island Press Club, Hawaii State Teachers Association, All Hawaii News, and eighteen individuals. Your Committees received comments on this measure from the Department of Education, Department of the Attorney General, and one individual.

Your Committees find that states may enhance the protections guaranteed by the First Amendment of the United States Constitution through state laws, rules, and regulations. Your Committees further find that student journalists attending Hawaii public schools and the University of Hawaii need additional protection against censorship, and that advisors need additional protections against retaliation for refusing to illegally censor student journalists. This measure will establish those protections and clarify the responsibilities of those involved in journalism in Hawaii's public schools and the University of Hawaii.

Your Committees have amended this measure by:

- (1) Clarifying that this measure applies to students of the University of Hawaii;
- (2) Specifying that allowing student journalists at the University of Hawaii to exercise freedom of speech and freedom of the press in school-sponsored media and protecting their advisors from retaliation for refusing to censor their students is a matter of statewide concern;
- (3) Clarifying that the freedom of press provisions established by this measure are not to be construed to authorize or protect student expression that incites students to violate lawful school, Board of Education, or University of Hawaii policies;
- (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 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. 1848, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1848, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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. 328-22 Higher Education & Technology on H.B. No. 315**

The purpose of this measure is to remove the \$3,000,000 cap on the amount the University of Hawaii System can expend from the University of Hawaii Tuition and Fees Special Fund (Special Fund) for the University of Hawaii Foundation.

Your Committee received testimony in support of this measure from the University of Hawai'i System, University of Hawai'i Foundation, University of Hawai'i Alumni Association, and three individuals.

Your Committee finds that removing or increasing the cap on the amount of Special Fund monies the University of Hawaii can use for the University of Hawaii Foundation would allow the University to diversify its funding streams, particularly to ensure sustainable funding that is not affected by fiscal fluctuations in the local economy.

Your Committee has amended this measure by:

- (1) Raising, rather than eliminating, the cap to \$6,000,000;
- (2) Changing its 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 315, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 315, 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. 329-22 Higher Education & Technology on H.B. No. 1488**

The purpose of this measure is to require the tuition residency rules for the University of Hawaii to grant the resident tuition fee for enrollment at any University of Hawaii campus, including any community college, to all Hawaii high school graduates and persons who have received equivalent graduation credentials in the State should they choose to return from out of state and pursue higher education in Hawaii, under certain conditions.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Education, Pono Hawai'i Initiative, and five individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that simplifying the determination of who qualifies for in-state resident tuition would reduce barriers for local students who wish to pursue higher education or additional training at the University of Hawaii.

Your Committee has amended this measure by:

- (1) Updating its purpose section;
- (2) Allowing adult or minor students enrolled in a high school in Hawaii for at least twelve consecutive months preceding the student's first day of officially scheduled instruction at a particular college or campus of the University of Hawaii to qualify for resident tuition;
- (3) For purposes of enrollment at any University of Hawaii campus, including any community college, allowing a student who:
  - (A) Received a high school diploma or its equivalent in the State within eight years preceding the student's first day of officially scheduled instruction at the University of Hawaii; and
  - (B) Is working toward an undergraduate degree, to qualify for resident tuition;
- (4) Removing the requirement that the student demonstrate the student's intent to reside in Hawaii by registering as a Hawaii voter;
- (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 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. 1488, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1488, 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. 330-22 Higher Education & Technology on H.B. No. 1731**

The purpose of this measure is to make higher education in Hawaii more accessible by:

- (1) Expanding the Hawaii Promise Program to provide scholarships for the unmet direct cost needs of qualified undergraduate students enrolled at a four-year campus of the University of Hawai'i; and
- (2) Providing an appropriation to establish and implement the expanded program.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Kamehameha Schools, and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that expanding the Hawaii Promise Program to qualified students in four-year degree programs at the University of Hawai'i would significantly enhance the ability of community college students to transfer to a four-year program and increase the number of economically disadvantaged students who can earn a bachelor's degree from the University of Hawaii. Your Committee further finds that expansion of the Hawaii Promise Program would be a significant step toward broadening access to economic opportunities for Hawaii's students and developing the educated workforce the State will need to grow in the coming decades.

Your Committee has amended this measure by:

- (1) Noting that the subject matter of this measure is an issue of statewide concern;
- (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.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating \$19,000,000 for the Hawaii Promise Program, which would allow approximately four thousand six hundred students to obtain a four-year degree at the University of Hawai'i System.

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. 1731, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1731, 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. 331-22 Higher Education & Technology on H.B. No. 1833**

The purpose of this measure is to require the University of Hawaii to establish K-12 expanded teaching cohort programs in each county for students who are pursuing undergraduate degrees in education.

Your Committee received testimony in support of this measure from the University of Hawai'i System and Department of Education.

Your Committee finds that due to a variety of factors, Hawaii has long suffered from a shortage of qualified public school teachers--a shortage that continues to persist and is worsening.

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.

Your Committee notes that approximately \$600,000 per year is needed for eight University of Hawaii faculty full-time equivalent positions for the K-12 expanded teaching cohort programs in all four counties.

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. 1833, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1833, 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. 332-22 Higher Education & Technology on H.B. No. 2188**

The purpose of this measure is to authorize the use of funds from the University of Hawaii Tuition and Fees Special Fund to pay for salaries of University of Hawaii positions that have been authorized by the Legislature whose means of funding are the general revenues of the State.

Your Committee received testimony in support of this measure from the Department of Budget and Finance and University of Hawaii System.

Your Committee finds that the University of Hawaii Tuition and Fees Special Fund was established pursuant to Act 161, Session Laws of Hawaii 1995, to give the University of Hawaii greater control over the income generated by its tuition and the responsibility of how tuition revenue is used. Your Committee further finds that after the creation of the Special Fund, general fund appropriations for many University of Hawaii positions that were previously authorized to be funded by the general fund were reduced due to state budget and fiscal issues. To help address state budget shortfalls, an agreement was reached in 2005 between the Department of Budget and Finance and the University of Hawaii that allows a position that was authorized by the Legislature as a general funded position to have its salary paid in part or in whole by tuition revenue and the fringe benefits expense associated with that position to continue to be paid by the general fund. This measure recognizes the cost-sharing agreement as beneficial to the University of Hawaii and the State and establishes the cost-sharing agreement in statute.

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. 2188 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 (Ohno, Quinlan).

**SCRep. 333-22 Higher Education & Technology on H.B. No. 2206**

The purpose of this measure is to support athletics at the University of Hawaii by appropriating:

- (1) \$14,500,000 for the University of Hawai'i at Mānoa; and
- (2) \$500,000 for the University of Hawai'i at Hilo.

Your Committee received testimony in support of this measure from the University of Hawai'i at Mānoa Athletics Department and University of Hawai'i at Hilo Athletics Department. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that University of Hawaii athletics attracts out-of-state teams to play before Hawaii residents and competes on the mainland and internationally as an ambassador of aloha and a representative of all of the people of Hawaii. Your Committee further finds that this measure would help offset higher costs that are unique to the University of Hawai'i as the cost of travel far exceeds its peer-competitors. Moreover, your Committee finds that this funding would provide significant assistance in upgrading facilities and programs for the health and well-being of University of Hawai'i student-athletes.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating:

- (1) \$14,500,000 for athletics at the University of Hawaii at Manoa; and
- (2) \$500,000 for athletics at the University of Hawaii at Hilo.

Your Committee notes that the appropriation to the University of Hawaii at Manoa would provide for expansion of the Clarence T. C. Ching Athletics Complex to meet National Collegiate Athletic Association requirements as well as funding for travel, student-athlete meals, and other health-and-wellness initiatives for student-athletes.

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. 2206, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2206, 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. 334-22 Higher Education & Technology on H.B. No. 2220**

The purpose of this measure is to appropriate funds to increase the State's capacity to train new nurses and project future nursing workforce needs.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing, University of Hawai'i at Mānoa Nancy Atmospera-Walch School of Nursing, East Hawaii Region of the Hawaii Health Systems Corporation, Hawai'i State Rural Health Association, Hawai'i Pacific Health, Healthcare Association of Hawaii, Hawaii Association of Nurse Anesthetists, and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure would allow schools to hire the instructors needed to fill the teaching gaps of today, provide for the time necessary to re-evaluate staffing structures to meet the teaching and nurse-training needs of the future, and ensure that currently enrolled students have access to the in-person clinical instruction needed to produce high-quality new graduates in nursing.

Your Committee has amended this measure by:

- (1) Changing the appropriation to 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.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating \$1,800,000 to increase the State's capacity to train new nurses and project future nursing workforce needs. Your Committee notes that it is estimated that an appropriation of \$1,800,000 would provide for thirty-nine nursing instructors to teach approximately two hundred forty nursing students at the University of Hawai'i at Manoa, University of Hawai'i at Hilo, and several of the community colleges within the University of Hawai'i System.

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. 2220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2220, 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. 335-22 Consumer Protection & Commerce on H.B. No. 2108**

The purpose of this measure is to establish a program for licensure, regulation, and oversight of digital currency companies in the State.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawai'i Technology Development Corporation, and eight individuals. Your Committee received testimony in opposition to this measure from the Libertarian Party of Hawaii and two individuals. Your Committee received comments on this measure from the Grassroot Institute of Hawaii, Blockchain Solutions Hawai'i, and one individual.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation (HTDC) are conducting a two-year pilot program, the Digital Currency Innovation Lab, to study digital currency transactions. HTDC testified that the pilot program consists of fifteen digital currency companies that totaled over 61,000 Hawaii resident participants who have collectively transacted over hundreds of millions of dollars each calendar quarter during the pilot program. The pilot program has only received ten complaints from participants thus far and is scheduled to expire on June 30, 2022. Through research conducted through the program, the Division of Financial Institutions learned that the current regulatory scheme of the money transmitter laws do not comport with the activities conducted by digital currency companies. This measure applies information gained from the Digital Currency Innovation Lab to establish a new licensing scheme for the digital currency companies in the State and would allow any company participating in the Digital Currency Innovation Lab pilot program on June 30, 2022, to continue operations if a complete licensure application is submitted to the Division of Financial Institutions by March 1, 2023.

Your Committee has amended this measure by:

- (1) Clarifying that the definition of "tangible net worth" excludes intangible assets, rather than tangible assets;
- (2) Requiring licensees to maintain a tangible net worth of not less than \$500,000 or an amount determined by the Commissioner of Financial Institutions, rather than specifying that digital currency may be included in the calculation of tangible net worth;
- (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. 2108, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2108, 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. 336-22 Consumer Protection & Commerce on H.B. No. 2113**

The purpose of this measure is to improve efficiency in processing applications for money transmitter applicants by allowing applicants to obtain either a federal or state level criminal background check.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that applicants for money transmitter licenses are required to obtain a federal criminal background check as well as a state level background check. The State became a reporter to the national criminal background database approximately seven years ago. During this time, the Division of Financial Institutions has reviewed parallel state and federal criminal background reviews and has never found discrepancies on disqualifying crimes. This measure therefore minimizes regulatory burden and eliminates redundancy by permitting money transmitter applicants to submit to either a state or federal criminal background review.

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. 2113, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2113, 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. 337-22 Consumer Protection & Commerce on H.B. No. 1579**

The purpose of this measure is to:

- (1) Set the proper manner by which the Oahu Regional Health Care System should seek operational funding during the transition process of the Oahu Regional Health Care System facilities from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Extend the date by which the transfer is to be completed from December 31, 2022, to December 31, 2023;
- (3) Require the transition working group to submit an additional report to the Legislature prior to the convening of the Regular Session of 2023;
- (4) Grant the transition working group certain exemptions to enable it to expeditiously carry out its responsibilities; and
- (5) Appropriate funds to formulate and execute a comprehensive business and transition plan.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of Health; Department of Budget and Finance; Office of Information Practices; Hawaii Health Systems Corporation Corporate Board of Directors; Hawaii Health Systems Corporation, Oahu Region; Civil Beat Law Center for the Public Interest; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee 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. 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.

Your Committee further finds that, due to these characteristics, the Legislature concluded that the Department of Health was best suited to operate Leahi Hospital and Maluhia. This was based on the Department of Health's existing operation of the Hawaii State Hospital, a facility that does not generate revenue but provides necessary care for mentally ill patients. Thus, through Act 212, Session Laws of Hawaii 2021, the Legislature mandated the transfer of the Oahu Regional Health Care System facilities to the Department of Health with a deadline of December 31, 2022.

However, your Committee finds that transfer efforts have been hampered by various obstacles, including the high complexity of the transfer and public health emergencies stemming from the water contamination at Red Hill and the COVID-19 pandemic. As such, an extension is needed to ensure the proper transfer of the Oahu Region facilities to the Department of Health.

Your Committee notes that the Department of Health and Hawaii Health Systems Corporation, in written testimony before your Committee, raised concerns that the 2023 extension is unfeasible and requested the extension be December 31, 2025. While your Committee sympathizes with these concerns, your Committee respectfully defers to your Committee on Health, Human Services, and Homelessness to determine the proper deadline for the transition.

Your Committee has amended this measure by:

- (1) Replacing the exemption from all of chapter 92, Hawaii Revised Statutes, with language clarifying the process for the working group to discuss matters concerning patient privacy and prospective bidders; and
- (2) Making technical, 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. 1579, 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. 1579, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 338-22 Consumer Protection & Commerce on H.B. No. 1800**

The purpose of this measure is to:

- (1) Establish a goal for the statewide greenhouse gas emissions limit to be at least seventy percent below 2005 levels by 2030;
- (2) Require the Director of Health to report the baseline measurement of the 2005 greenhouse gas emissions in the State and to complete a greenhouse gas emissions inventory report each year to track emissions and determine the State's progress in the reduction of greenhouse gas emissions; and
- (3) Require and appropriate funds for the Hawaii State Energy Office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii State Energy Office, Imua Alliance, Blue Planet Foundation, Climate Protectors Hawaii, 350Hawaii.org, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Public Utilities Commission and Hawaiian Electric Company.

Your Committee finds that climate change poses immediate and long-term threats to the State's economy, public health, environment, and way of life. This measure will establish an intermediate goal to encourage further action toward achieving the Zero Emissions Clean Economy Target to sequester more atmospheric carbon and greenhouse gases than emitted by 2045.

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. 1800, 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 (Kong, Onishi). Noes, none. Excused, none.

#### **SCRep. 339-22 Consumer Protection & Commerce on H.B. No. 1712**

The purpose of this measure is to protect agricultural lands in Hawaii for agricultural use by prohibiting the siting of waste disposal facilities on important agricultural lands and agricultural lands with class A or B productivity ratings.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Farm Bureau, Hawaii Crop Improvement Association, CropLife America, Biotechnology Innovation Organization, Land Use Research Foundation of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the Department of Environmental Services of the City and County of Honolulu and one individual.

Your Committee finds that siting landfills on agricultural lands jeopardizes crop safety because it may cause contamination through dust, soil runoff, or poor water quality. Your Committee further finds that the appropriate, primary use of lands within the agricultural district is for actual agricultural purposes, to protect food safety of consumers of locally grown food.

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. 1712, 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). Noes, none. Excused, none.

#### **SCRep. 340-22 Consumer Protection & Commerce on H.B. No. 1632**

The purpose of this measure is to promote the safety of Hana Highway and Haleakala Highway by:

- (1) Setting weight limitations for tour operators and rental vehicles;
- (2) Establishing user fees for certain vehicles to access Hana Highway and Haleakala Highway; and
- (3) Amending the Highway Development Special Fund to allow the deposit of funds received from the user fees into the special fund and authorize the funds to be used for the development and improvement of Hana Highway and Haleakala Highway.

Your Committee received testimony in support of this measure from one member of the Maui County Council. Your Committee received testimony in opposition to this measure from the Activities & Attractions Association of Hawaii, Inc. and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Department of Transportation.

Your Committee finds that the physical conditions of Hana Highway and Haleakala Highway are deteriorating due to their age and heavy use by Maui residents and visitors. To ensure the safety of residents and visitors, it is critical to establish vehicle weight restrictions and user fees for the development and improvement of the highways.

Your Committee notes that the Department of Transportation, in its written testimony, expressed concerns that the proposed user fees may be construed as a toll. If the user fees are construed as tolls, it would trigger certain limitations and requirements on the use of federal aid for projects on Hana Highway and Haleakala Highway. The Department of Transportation further requested time to determine whether the user fees would be construed as a toll for federal aid purposes.

Your Committee has amended this measure by clarifying that the user fees are to be assessed on the groups enumerated in this measure upon entering Hana Highway and Haleakala Highway.

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. 1632, 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. 1632, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Onishi). Noes, none. Excused, none.

#### **SCRep. 341-22 Consumer Protection & Commerce on H.B. No. 2107**

The purpose of this measure is to resolve certain payment issues related to franchise tax collections deposited into the Compliance Resolution fund by:

- (1) Ensuring that the statutorily-mandated \$2,000,000 franchise tax payment is credited in full to the Compliance Resolution Fund for use by the Division of Financial Institutions; and
- (2) Specifying that if franchise tax collections are insufficient, income tax collections will be used to ensure \$2,000,000 is deposited into the Compliance Resolution Fund.

Your Committee received testimony in support of this measure from Department of Taxation, Department of Commerce and Consumer Affairs, and Hawaii Bankers Association. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs (DFI) has relied on a dedicated portion of the franchise tax revenues to help maintain its financial self-sufficiency and support its purpose to effectively license, supervise, and regulate the constantly changing and complex financial institutions within its jurisdiction.

Your Committee further finds that each fiscal year, \$2,000,000 of franchise tax collections is deposited to the credit of the Compliance Resolution Fund for use by DFI. However, there have been situations where the payment of franchise tax revenues was delayed from one fiscal year to the succeeding fiscal year. This has the potential to delay payments or the ability to enter into contracts, which creates an aura of uncertainty in DFI, or interfere with its purpose and functions.

This measure resolves payment timing issues related to franchise tax collections by ensuring that the \$2,000,000 payment provided for under the franchise tax law is credited in full to the Compliance Resolution Fund for use by DFI. This measure also specifies that, if franchise tax collections are insufficient, income tax collections will be used to ensure \$2,000,000 is deposited into the Compliance Resolution Fund.

Your Committee notes that concerns were raised in testimony that portions of this measure may exceed its single-subject title. Should your Committee on Finance choose to deliberate on this measure, your Committee respectfully requests that it consider these concerns.

Your Committee has amended this measure by:

- (1) Clarifying that the transfer of franchise tax revenues into the Compliance Resolution Fund shall occur by June 30 of the same fiscal year;
- (2) Removing redundant language authorizing the transfer of income tax revenues to supplement franchise tax revenues, if needed, to reach the necessary \$2,000,000 to fund the Division of Financial Institutions;
- (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. 2107, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2107, 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. 342-22 Health, Human Services, & Homelessness on H.B. No. 1466**

The purpose of this measure is to:

- (1) Establish the class B felony offense of continuous sexual assault of a minor under the age of sixteen years in the second degree; and
- (2) Clarify that the existing offense of continuous sexual assault of a minor is a class A felony offense in the first degree that includes minor victims under the age of sixteen years.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Rainbow Family 808, and two individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that sexual assault is one of the most difficult crimes for any victim to report and testify about in any legal proceeding. This difficulty is even more apparent for child victims. Your Committee further finds that children are lacking in their ability to precisely recall certain information, such as date and time. This measure affords child victims the ability to describe conduct that they have endured over periods of time without requiring specificity as



to date and time. Your Committee notes that an amendment to the Hawaii State Constitution is necessary for this measure to proceed and that a measure doing so is currently moving through the legislative process.

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. 1466, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1466, 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, 1 (Ward).

#### **SCRep. 343-22 Health, Human Services, & Homelessness on H.B. No. 2053**

The purpose of this measure is to amend the State's medical cannabis dispensary system law to:

- (1) Authorize medical cannabis dispensaries to distribute medical cannabis propagules and cuttings by including cannabis propagules and cuttings in the definition of "cannabis";
- (2) Authorize only those persons who may cultivate medical cannabis to purchase cannabis propagules and cuttings; and
- (3) Impose quantity limits and quality requirements on the distributed propagules and cuttings.

Your Committee received testimony in support of this measure from Maui Grown Therapies, Hawai'i Cannabis Industry Association, Aloha Green Holdings Inc., Big Island Grown Dispensaries, and Hawaiian Ethos LLC. Your Committee received testimony in opposition to this measure from the Department of Health. Your Committee received comments on this measure from the Department of the Attorney General and Akamai Cannabis Clinic.

Your Committee finds that patients and primary caregivers cultivating medical cannabis at a registered grow site under the State's medical cannabis registry program have no legal way to obtain safe, laboratory-tested genetic material from which to propagate their plants. Your Committee further finds that as a result, qualifying patients or their primary caregivers often obtain propagules, cuttings, or other cannabis genetic material from the illicit market. These materials have not been tested for the presence of pesticides and heavy metals and are of unknown genetic provenance and therapeutic value. This measure provides qualifying patients who choose to cultivate their own cannabis plants with a legal channel to purchase safe, quality-assured cannabis propagules and cuttings with verified therapeutic properties.

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. 2053, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2053, 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, none.

#### **SCRep. 344-22 Health, Human Services, & Homelessness on H.B. No. 1932**

The purpose of this measure is to establish, and appropriate funds for, a pilot program to develop a modern case management software solution compatible with existing child welfare technology in the Child Welfare Services Branch of the Department of Human Services.

Your Committee received testimony in support of this measure from Binti, Inc. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that the number of children experiencing the foster care system in Hawaii has increased substantially, while caseworkers are becoming more and more overloaded. These challenges can result in fewer in-person visits to children and families, decreased child and family involvement in case planning, less support for families, and more opportunities for children and families to fall through the cracks.

The pilot program proposed by this measure is intended to allow for modern, web-based technology upgrades so that case workers can access important information on their mobile phones during case visits and doing field work to more effectively manage their caseloads and better meet the needs of children in the foster care system.

Your Committee has amended this measure by:

- (1) Deleting most of the preamble;
- (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. 1932, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1932, 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, 1 (Ward).

#### **SCRep. 345-22 Health, Human Services, & Homelessness on H.B. No. 1582**

The purpose of this measure is to require child care providers, including persons who are otherwise exempt from the State's child care laws, licensed child care providers, and employees of licensed child care providers, to provide certain information to the Department of Human Services each year.

Your Committee received testimony in support of this measure from Hawaii Children's Action Network Speaks!. Your Committee received comments on this measure from the Department of Human Services and Executive Office on Early Learning.

Your Committee finds that the Department of Human Services' Early Childhood Registry is optional for family child care providers. Since the registry does not collect information from all child care providers, the State lacks the data necessary to understand its child care workforce. This in turn hinders the ability to create strategic policy to address the critical child care provider workforce shortage. Your Committee further finds that making the Early Childhood Registry required for a greater share of child care providers and requiring information to be updated annually will provide more robust information necessary for the implementation of programs and services that impact young children and their adult 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. 1582, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1582, 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, 1 (Ward).

#### **SCRep. 346-22 Health, Human Services, & Homelessness on H.B. No. 1799**

The purpose of this measure is to authorize the Department of Education to offer optional asthma self-management instruction to students and require teachers and other department employees to obtain asthma training.

Your Committee received testimony in support of this measure from the Department of Education, American Lung Association in Hawaii, AlohaCare, American Academy of Pediatrics Hawaii Chapter, Hawaii Medical Association, Hawaii Children's Action Network Speaks!, Hawai'i Public Health Institute, Hawai'i Public Health Association, Hawaii Primary Care Association, and four individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that one-third of the more than one hundred ten thousand Hawaii residents living with asthma are children. Although asthma mortality rates have declined in the past ten years, there was an average of twenty-two deaths per year from asthma in Hawaii between 2013 and 2015. Your Committee further finds that recent research funded by the Centers for Disease Control and Prevention for the Journal of School Health has shown that students who engage in school-based asthma education experience significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after intervention. Students also reported significantly less frequent emergency department visits or hospitalizations between the baseline and follow-up surveys. This measure authorizes the Department of Education to offer optional asthma education courses to students and provide mandatory training to teacher and other Department employees to ensure students with asthma are able to thrive in all environments.

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 is in accord with the intent and purpose of H.B. No. 1799, 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. 1799, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

#### **SCRep. 347-22 Health, Human Services, & Homelessness on H.B. No. 1797**

The purpose of this measure is to establish a Medical Respite Pilot Program to improve the quality of life and standard of care for homeless persons in the State.

Your Committee received testimony in support of this measure from the Hawaii Disability Rights Center, Kalihi-Palama Health Center, 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 many homeless persons who have been hospitalized are in need of supportive services and follow-up care and lack a clean and safe place to stay in which to recover after being discharged from a hospital. Your Committee further finds that some extended hospital stays and repeated hospitalizations by homeless persons could be avoided with a coordinated program of care, including medical care, housing assistance, and supportive services.

Your Committee has amended this measure by:

- (1) Changing the appropriation 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.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate this measure further, consider appropriating \$800,000 for a Medical Respite Pilot Program to improve the quality of life and standard of care for homeless persons in the State.

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. 1797, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1797, 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, none.

#### **SCRep. 348-22 Health, Human Services, & Homelessness on H.B. No. 1773**

The purpose of this measure is to appropriate state funds required to draw down the federal matching funds to extend Medicaid postpartum coverage to twelve months following the end of pregnancy.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning; Hawaii State Commission on the Status of Women; American Heart Association; AlohaCare; Hawaii Medical Service Association; Hawaii Association of Health Plans; Early Childhood Action Strategy; Healthcare Association of Hawaii; Healthy Mothers Healthy Babies; Planned Parenthood Alliance Advocates-Hawai'i; Hawaii Children's Action Network Speaks!; Hawaii Women Lawyers; Hawai'i Section of the Obstetricians and Gynecologists; American Academy of Pediatrics, Hawaii Chapter; Save Medicaid

Hawaii; Hawaii Medical Association; Hawaii Family Forum; Hawai'i Pacific Health; Kaiser Permanente Hawai'i; UnitedHealthcare; Hawai'i Public Health Association; Hawaii Primary Care Association; Hawaii Women's Coalition; 'Ahahui o Nā Kauka; and eighteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that the twelve months following childbirth are a critical time, as women are more likely to die of pregnancy-related conditions during this period than during pregnancy or childbirth. Your Committee further finds that Medicaid pregnancy coverage, which pays for nearly half of all births in the United States, expires sixty days after childbirth. However, a provision in the American Rescue Plan Act of 2021 gives states a new option to extend Medicaid postpartum coverage to twelve months via a state plan amendment. This measure appropriates the state funds necessary to draw down federal matching funds to extend Medicaid postpartum coverage to twelve months following the end of pregnancy, which will improve health access for women and children by providing stability and continuity of care with known and trusted providers.

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. 1773 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, 1 (Ward).

#### **SCRep. 349-22 Health, Human Services, & Homelessness on H.B. No. 1481**

The purpose of this measure is to:

- (1) Authorize the use of the Reduced Ignition Propensity Cigarette Program Special Fund to support the duties and responsibilities of the State Fire Council in addition to administering and enforcing the Reduced Ignition Propensity Cigarette Program; and
- (2) Appropriate funds out of the Reduced Ignition Propensity Cigarette Program Special Fund to support the duties and responsibilities of the State Fire Council.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, and Hawai'i Fire Department. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State Fire Council is tasked with reviewing and adopting the State Fire Code, providing administrative oversight of the Reduced Ignition Propensity Cigarette Program, providing assistance with the application and administration of federal grants for the fire service, assisting and coordinating with the statewide delivery of fire training program, coordinating the collection of fire data, and supporting contingency planning needs for firefighters.

Your Committee further finds that this measure authorizes additional uses for and appropriates funds into the Reduced Ignition Propensity Cigarette Program Special Fund, which will allow the State Fire Council to fulfill its mission with 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 in the State.

Your Committee has amended this measure by:

- (1) Deleting the preamble other than the narrow purpose statement of 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. 1481, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1481, 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, none.

#### **SCRep. 350-22 Economic Development on H.B. No. 1491**

The purpose of this measure is to:

- (1) Repeal the deferred payment purchase option for cigarette tax stamps; and
- (2) Require licensees to pay for cigarette tax stamps at the time of purchase using cash, certified check, or bank transfer.

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

Your Committee finds that existing law authorizes deferred payment purchases for cigarette stamp fees. However, your Committee finds that deferred payment purchase of cigarette stamps is no longer necessary and that having the taxpayer pay upon purchase is the most efficient way to administer the cigarette stamps program.

Your Committee notes the testimony of the Department of Taxation before your Committee, which requested that statutory language regarding the Department's authority to modify the cigarette stamp fee be maintained.

Accordingly, your Committee has amended this measure by reinstating language that provides the Department of Taxation with the authority to modify the cigarette stamp fee to reflect actual costs incurred by the State in providing the stamps.

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. 1491, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1491, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 351-22 Economic Development on H.B. No. 1495**

The purpose of this measure is to:

- (1) Prohibit a production from qualifying for the motion picture, digital media, and film production tax credit if the production hires or compensates an employee of the State or county whose official capacity is related to motion picture, digital media, or film production for certain services; and
- (2) Require a taxpayer claiming the motion picture, digital media, and film production tax credit to identify any such employee in the statement submitted to the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Screen Actors Guild – American Federation of Television and Radio Artists. Your Committee received testimony in opposition to this measure from the Island Film Group. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; University of Hawai'i System; Academy for Creative Media of the University of Hawai'i at Mānoa; and Tax Foundation of Hawaii.

Your Committee finds that the State offers a generous income tax credit for motion picture, digital media, and film production produced in the State. This tax credit has attracted many to the islands, who use the State's natural beauty in their films or digital media. However, your Committee further finds that there have been cases where state and county employees, whose role potentially may impact the distribution of the tax credit, were directly involved in certain film projects. Your Committee is concerned that this may create a possible conflict of interest. However, your Committee acknowledges the testimony of the Academy for Creative Media of the University of Hawai'i at Mānoa regarding its many faculty members who currently have professional careers in the film industry, in addition to their jobs as educators, who may be inadvertently affected by this measure as currently drafted.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that a production shall not hire a state or county employee whose official capacity is related to issuing film permits or facilitating film production;
- (2) Specifying that, upon its approval, this measure shall apply to taxable years beginning after December 31, 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1495, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1495, 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. 352-22 Economic Development on H.B. No. 1507**

The purpose of this measure is to:

- (1) Increase the tax rate on capital gains; and
- (2) Make the Earned Income Tax Credit refundable and permanent.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action, Hawaii State Teachers Association, Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i Alliance for Community-Based Economic Development, Hawaii Children's Action Network Speak!, Democratic Party of Hawai'i Education Caucus, Imua Alliance, Pono Hawai'i Initiative, Hawai'i Association of School Psychologists, Hawaii Chapter of the American Academy of Pediatrics, League of Women Voters of Hawaii, Parents And Children Together, Americans for Democratic Action Hawai'i, Aloha United Way, Hawai'i Public Health Institute, Hawai'i Health & Harm Reduction Center, UNITE HERE Local 5, and ten individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS, Hawaii Bankers Association, Hawaii Food Industry Association, and two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Chamber of Commerce Hawaii, Tax Foundation of Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that the State's tax structure disproportionately impacts working families as it places one of the highest tax burdens on low-income households in the nation, while higher earning households pay a smaller percentage of their income in state taxes. Your Committee further finds that the Earned Income Tax Credit has helped many local families maintain financial security; however, the tax credit is set to expire this year. This measure seeks to provide more equality in the State's tax system by increasing the capital gains tax and making the Earned Income Tax Credit permanent and refundable.

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. 1507 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). Noes, 1 (Okimoto). Excused, none.

#### **SCRep. 353-22 Economic Development on H.B. No. 2406**

The purpose of this measure is to amend the Earned Income Tax Credit by:

- (1) Making it refundable and permanent; and
- (2) Allowing tax credits claimed for certain taxable years that exceed tax liability for the original claim year to be credited against the net tax liability in subsequent years, until exhausted.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i Alliance for Community-Based Economic Development, Catholic Charities Hawai'i, Hawaii Children's Action Network Speaks!, Imua Alliance, Democratic Party of Hawai'i Education Caucus, Pono Hawai'i Initiative, Hawai'i Association of School Psychologists, Hawaii Chapter of the American Academy of Pediatrics, Chamber of Commerce Hawaii, Parents And Children Together, Aloha United Way, Hawai'i Public Health Institute, and nine individuals. 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 in 2017 Hawaii enacted its own Earned Income Tax Credit. However, unlike many other states and the federal government, Hawaii's Earned Income Tax Credit is non-refundable, meaning households can only use the state credit to reduce their tax liability. This hurts low-income households because they are not able to make full use of the tax credit as they often have little to no tax liability. Your Committee believes that making the Earned Income Tax Credit refundable will provide a pathway to economic stability for Hawaii's working families. This measure would relieve financial pressure that working families face every day as the State's cost of living continues to rise and wages remain stagnant.

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. 2406 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; Ayes with Reservations (Onishi, Okimoto). Noes, none. Excused, none.

**SCRep. 354-22 Economic Development on H.B. No. 1709**

The purpose of this measure is to establish the whole house water filter system tax credit.

Your Committee received testimony in support of this measure from the International Association of Plumbing and Mechanical Officials 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 a whole house water filter system is a filtration system that is installed where the main water line enters a home and removes impurities and contaminants from water that is distributed throughout the home. This filtration system can help reduce contaminants such as chlorine, iron, sulfur, and more from drinking water. This measure can help protect public health by providing an incentive for tax payers to add additional protections for their water supplies.

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. 1709, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1709, 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 (Onishi). Noes, none. Excused, none.

**SCRep. 355-22 Economic Development on H.B. No. 1492**

The purpose of this measure is to establish a civil penalty for failure to respond to a communication from the Department of Taxation that is related to an inspection or examination of records.

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

Your Committee finds that existing law is silent regarding the consequences for a taxpayer who fails to respond to the Department of Taxation during an official inspection or examination of records. This measure enables the Department of Taxation to effectively promote taxpayer compliance and efficient tax administration by establishing penalties for those who fail to respond to a departmental inquiry.

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. 1492, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1492, 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. 356-22 Economic Development on H.B. No. 2175**

The purpose of this measure is to conform the state income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended, as of December 31, 2021.

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

Your Committee finds that this annual conformity measure is submitted by the Department of Taxation to ensure state income tax and state estate and generation-skipping transfer tax laws conform to the federal Internal Revenue Code as it exists on December 31 preceding each Regular Session. The purpose of conformity is to update the state tax laws with those changes made to the federal Internal Revenue Code during the past year and adopt those changes that are appropriate for Hawaii 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 H.B. No. 2175 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. 357-22 Economic Development on H.B. No. 2226**

The purpose of this measure is to amend the tax credit for research activities by:

- (1) Adding a cap for an eligible taxpayer and its related entities per taxable year;
- (2) Consolidating the survey and certification requirements for the tax credit;
- (3) Amending the annual aggregate cap; and
- (4) Requiring certification on a first-come, first-served basis.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Oceanit; and Nalu Scientific, LLC. 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 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) Clarifying that the determination of when the Department of Business, Economic Development, and Tourism certifies a credit is based on the date, rather than the date and time, a completed application is received;

- (2) Clarifying that the Department of Business, Economic Development, and Tourism shall certify any remaining credits on a pro rata first-come, first-served basis if the total amount of allowable certified credits is not expended within the first twenty-four hours that applications are made available; 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. 2226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2226, 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. 358-22 Economic Development on H.B. No. 1569**

The purpose of this measure is to increase the income threshold eligibility to claim the refundable food/excise tax credit.

Your Committee received testimony in support of this measure from the Children's Action Network Speaks!, Hawai'i Alliance for Progressive Action, Hawaii Food Industry Association, and two individuals. 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 Hawaii places one of the highest tax burdens on low-income households in the nation. Families in Hawaii who earn less than \$20,000 per year pay roughly fifteen percent of their income to state and local taxes. In comparison, those who make over \$450,000 pay only about nine percent. This measure would create a more equal tax system and provide some financial relief to those who need it the most by allowing more families to qualify for the refundable food/excise tax credit.

Your Committee has amended this measure by:

- (1) Changing the maximum threshold amounts to qualify for the refundable food/excise tax credit to unspecified amounts; 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. 1569, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1569, 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 (Onishi). Noes, none. Excused, none.

#### **SCRep. 359-22 Economic Development on H.B. No. 1494**

The purpose of this measure is to amend the purpose and duties of the Special Enforcement Section 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 the Special Enforcement Section of the Department of Taxation was established to give the Department necessary resources and tools to target high-risk, cash-based transactions to ensure compliance with state tax laws. Your Committee further finds that the duties of the Special Enforcement Section need to be updated to reflect current policies and practices of the Department of Taxation. This measure would update the Special Enforcement Section's legal authority, thereby ensuring compliance with state tax laws and promoting fairness and transparency for Hawaii's taxpayers.

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. 1494 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. 360-22 Economic Development on H.B. No. 1490**

The purpose of this measure is to establish a civil penalty for failure to respond to an inquiry or request for information during a state tax examination or investigation.

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

Your Committee finds that existing law is silent regarding a taxpayer who fails to respond to the Department of Taxation's inquiry or request for information during an examination or investigation. This measure will ensure that the Department of Taxation can effectively carry out its investigations, thereby promoting taxpayer compliance and efficient tax administration.

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. 1490 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. 361-22 Economic Development on H.B. No. 1493**

The purpose of this measure is to:

- (1) Increase the amount of monies maintained in the Tax Administration Special Fund; and
- (2) Amend the purpose of the 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 existing law only allows the Department of Taxation to use the Tax Administration Special Fund to develop, implement, and provide taxpayer education programs. Your Committee believes that tax compliance programs are equally important as they generate revenue and bolster

voluntary taxpayer compliance in the State. This measure will provide the Department of Taxation with the necessary means and flexibility to implement tax compliance programs.

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. 1493 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 (Okimoto). Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 362-22 Judiciary & Hawaiian Affairs on H.B. No. 1580**

The purpose of this measure is to specify under the Hawaii Rules of Evidence that courts may order that the testimony of witnesses be taken through a live two-way video connection in certain circumstances.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the Judiciary has been utilizing two-way video technology as a substitute for in-person attendance in proceedings and hearings due to the coronavirus disease 2019 (COVID-19) pandemic. This technology has allowed the Judiciary to continue its essential role in resolving disputes and administering justice in a safe and timely manner. Your Committee further finds that the continued use of two-way video technology post-COVID-19 will provide greater access to the courts, particularly for out-of-state victims.

Your Committee has amended this measure by:

- (1) Requiring the consent of the prosecuting attorney, in addition to the defendant, to allow the testimony of a witness in a criminal proceeding to be taken under oath through a live two-way video connection;
- (2) Clarifying that the attorneys for the defendant and for the State have the right to full direct and cross-examination;
- (3) Changing the effective date to January 1, 2022, 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. 1580, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1580, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 363-22 Judiciary & Hawaiian Affairs on H.B. No. 2076**

The purpose of this measure is to authorize:

- (1) The assignment of nonparticipating tobacco manufacturer's qualified escrow fund balances to the State; and
- (2) Escrow agents of qualified escrow funds to petition the courts to authorize transfers of funds to the State when a qualified escrow fund is abandoned.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance and two individuals.

Your Committee finds that the Tobacco Liability Act requires certain tobacco product manufacturers that are not signatories to the Master Settlement Agreement (nonparticipating tobacco manufacturers) to make certain payments into a qualified escrow fund based on their cigarette sales in the State. Under the Tobacco Liability Act, these nonparticipating tobacco manufacturers are required to open and manage their own escrow fund, with rights to the escrow funds belonging only to the manufacturers and the State.

However, your Committee finds that under existing law, the State is unable to accept any assignment of interest from nonparticipating tobacco manufacturers or receive funds of abandoned escrow funds. In 2018, one nonparticipating tobacco manufacturer indicated a willingness to assign its interest in its qualified escrow fund to the State. This step was part of its efforts to close the escrow fund since the manufacturer no longer sold tobacco products in the United States. This measure would authorize such assignments.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 2076, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2076, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 364-22 Judiciary & Hawaiian Affairs on H.B. No. 1179**

The purpose of this measure is to establish and appropriate funds for a pilot program within the Aina Mauna Legacy Program of the Department of Hawaiian Home Lands to remove and harvest gorse from Mauna Kea and develop it as a marketable product to expand economic opportunities for native Hawaiians.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Makahanaloa Fishing Association; Akamai Working Group, LLC; Symbrosia Inc.; Bergknut Consulting Service; Hui Ho'olako for Hawaiian Initiatives; Earth Balancing, Inc.; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that gorse is an invasive species that is very difficult to eradicate and detrimental in native habitats. Your Committee further finds that the Department of Hawaiian Home Lands' Aina Mauna Legacy Program is the guiding framework for well-coordinated management for long-term protection and perpetuation of the Aina Mauna ecosystem in the Humuulu-Piihonua area located on the northeast slopes of Mauna Kea. This measure is intended to address the significant need for greater economic opportunities for native Hawaiians by supporting the collection and product development of gorse from Mauna Kea.

Your Committee has amended this carryover measure by updating certain dates for the 2022-2023 fiscal year.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider appropriating \$500,000 for the establishment of the pilot program.

As 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. 1179, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1179, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 365-22 Judiciary & Hawaiian Affairs on H.B. No. 2028**

The purpose of this measure is to allow milk producers to sell raw milk and raw milk products directly to consumers for human consumption, subject to certain conditions.

Your Committee received testimony in support of this measure from the Weston A. Price Foundation, Mauna Kea Tea, and nineteen individuals. Your Committee received testimony in opposition to this measure from Department of Agriculture, Department of Health, Hawai'i Farm Bureau, Hawaii Food Industry Association, and one individual.

Your Committee finds that there is a demand for raw, unpasteurized milk and raw milk products in the State based on the health benefits and taste of raw milk. Your Committee further finds that raw milk can be produced safely and is already sold in many other states. This measure will enable Hawaii consumers to purchase raw milk and milk products directly from farmers.

Your Committee also finds that the Department of Health recently embargoed unpasteurized goat milk from various pet store supply and food retailers in Hawaii. Raw goat milk provides various health benefits for pets, particularly pets with certain health conditions. It is easy to digest and a natural probiotic for pets such as dogs and cats. Your Committee believes that the sale of raw goat milk should be allowed for the limited purpose of pet consumption.

Accordingly, your Committee has amended this measure by:

- (1) Authorizing the sale of raw goat milk for pet consumption;
- (2) Requiring the Department of Health to adopt rules by July 1, 2023, governing the sale of raw goat milk for pet consumption;
- (3) Establishing labeling requirements for raw goat milk containers or packaging; 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. 2028, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2028, 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 (Todd, Tokioka, Ward). Noes, 2 (Matayoshi, Nakamura). Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 366-22 Judiciary & Hawaiian Affairs on H.B. No. 1991**

The purpose of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported as stolen and listed on a publicly available online stolen item database;
- (2) Require the police department in counties with a population of five hundred thousand or more to establish the publicly available online stolen item database; and
- (3) Update the recordkeeping and retention requirements for businesses that buy previously owned articles.

Your Committee received testimony in support of this measure from the Honolulu Police Department and four individuals. Your Committee received testimony in opposition to this measure from the National Pawnbrokers Association, Hawaii Pawnbrokers Association, Kama'aina Loan and Cash for Gold, and Hawaii Gold & Silver Company.

Your Committee finds that bicycle thefts can significantly impact a person financially and hinder the State's sustainability goals of reducing carbon emissions and utilizing low carbon transportation. Existing laws requiring the registration of bicycles and imposing fines for the failure to do so are not sufficient in stopping bicycle theft and resale. This measure seeks to directly address the issue of stolen bicycle resales by prohibiting the sale of bicycles reported as stolen and listed on a publicly available online stolen item database.

Your Committee has amended this measure by:

- (1) Deleting portions of the purpose section;
- (2) Deleting language that would have updated the recordkeeping and retention requirements for businesses that buy previously owned articles;
- (3) Changing the effective date to January 1, 2022, 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 Consumer Protection & Commerce, should it deliberate on this measure, to examine making online sales platforms more accountable for stolen bicycle sales.

As 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. 1991, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1991, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).



**SCRep. 367-22 Judiciary & Hawaiian Affairs on H.B. No. 2146**

The purpose of this measure is to repeal the expiration of, and fees for, a civil license to solemnize marriage to assure equity among religious, judicial, and civil performers.

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

Your Committee finds that there are no fees for licenses to solemnize marriages for religious and judicial marriage solemnizers. Your Committee further finds that the State should benefit from its sanction to duly authorize marriage officiants.

Accordingly, your Committee has amended this measure by:

- (1) Establishing a \$25 fee for all licenses to solemnize a marriage to be deposited into the general fund;
- (2) Allowing the Department of Health to increase the fee, subject to certain requirements;
- (3) Requiring the Department of Health to account for the collection and deposit of the fee into the general fund; 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. 2146, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2146, 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 (D. Kobayashi, LoPresti).

**SCRep. 368-22 Judiciary & Hawaiian Affairs on H.B. No. 1903**

The purpose of this measure is to require first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

Your Committee received testimony in support of this measure from numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health and one individual.

Your Committee finds that the safety of visitors and residents in Hawaii's waters is of statewide concern. Requiring all counties to record standardized, empirical data about the type of snorkel and mask, if any, worn by persons who were rescued or recovered during water rescue events will help the State determine whether certain types of snorkels or masks lead to a higher risk of drowning.

Your Committee has amended this measure by:

- (1) Deleting language that designated the measure as the "David Loasby Law";
- (2) Changing the effective date to January 1, 2022, 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. 1903, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1903, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

**SCRep. 369-22 Judiciary & Hawaiian Affairs on H.B. No. 892**

The purpose of this measure is to:

- (1) Clarify the membership requirements for the Law Enforcement Standards Board to facilitate participation and representation;
- (2) Enable the Law Enforcement Standards Board to research the impact of uniform standards, certification, and training on existing legal requirements;
- (3) Establish new deadlines for the completion of the Law Enforcement Standards Board's significant responsibilities; and
- (4) Appropriate funds to enable the Law Enforcement Standards Board to accomplish its mission.

Your Committee received testimony in support of this measure from the Department of Transportation, Department of Taxation, Department of the Attorney General, Department of Land and Natural Resources, Law Enforcement Standards Board, Hawai'i Police Department, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the Law Enforcement Standards Board needs significantly more time and resources to accomplish its mission of providing programs and standards for training and certification of law enforcement officers.

Your Committee has amended this measure by 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 consider increasing the appropriation amount in this measure to \$483,000 to cover the costs of staffing and expenses of the Law Enforcement Standards 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. 892, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 892, 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 (D. Kobayashi, LoPresti).

**SCRep. 370-22 Judiciary & Hawaiian Affairs on H.B. No. 2421**

The purpose of this measure is to establish a three-year women's court pilot program in the First Circuit of the Judiciary to acknowledge the distinct pathways that lead women into the criminal justice system and address their individualized needs. Specifically, this measure:

- (1) Requires the pilot program to implement trauma-informed and evidence-based practices, employ gender-responsive programming, collaborate with stakeholders, and provide services to women in the court system with the goal of diverting participants from incarceration, supporting their success in the community, and reducing recidivism;
- (2) Appropriates \$695,236 for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions for the pilot program; and
- (3) Requires the Judiciary to submit annual reports on the pilot program throughout its duration.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Women's Prison Project, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that research has shown that gender-responsive approaches result in far better outcomes for women who face unique barriers to success after incarceration. Women offenders are more likely to be primary caregivers for young children, have lower educational attainment, lack stable work history, and experience economic or social marginalization. This measure seeks to address these barriers and improve outcomes for women offenders.

As 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. 2421 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, 9. Noes, none. Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 371-22 Judiciary & Hawaiian Affairs on H.B. No. 1883**

The purpose of this measure is to require the exterior of the envelope containing the ballot package for elections by mail to include instructions on how to obtain language translation services in Hawaiian and certain other non-English languages.

Your Committee received testimony in support of this measure from the Office of Language Access, City and County of Honolulu Elections Division, Common Cause Hawaii, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Friends of Civil Rights, Filipina Advocacy Network, Hawai'i Coalition for Immigrant Rights, and four individuals. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that language translation services are already required and used by the State and counties for in-person voting. This measure will ensure that limited English proficient voters are informed about how to obtain language translation services when voting by mail.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 1883, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1883, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 372-22 Judiciary & Hawaiian Affairs on H.B. No. 1843**

The purpose of this measure is to appropriate funds for the Judiciary to purchase civil legal services for low- and moderate-income persons.

Your Committee received testimony in support of this measure from the Judiciary, Volunteer Legal Services Hawai'i, Legal Aid Society of Hawai'i, Filipina Advocacy Network, Hawaii Justice Foundation, The Legal Clinic, Hawaii Access to Justice Commission, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that legal services can be prohibitively expensive for low- and moderate-income persons. Your Committee further finds that there are several nonprofit and volunteer organizations in the State that provide quality legal services to these persons. This measure helps to ensure that legal services are available to persons who need them but lack the resources to pay for them.

Your Committee has amended this measure by:

- (1) Amending the purpose section to delete references to specific nonprofit and volunteer organizations; and
- (2) Making technical, 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. 1843, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1843, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 373-22 Judiciary & Hawaiian Affairs on H.B. No. 1965**

The purpose of this measure is to make the State's civil asset forfeiture process more just by:

- (1) Restricting civil asset forfeiture to cases involving the commission of a covered offense where the person exercising some degree of control over the property is charged with an offense related to the property;
- (2) Adopting a higher standard of proof for the State to forfeit property;
- (3) Allowing for the transfer of certain property to any local or state government entity, municipality, or law enforcement agency within the State for use for a period of no longer than twelve months, before transferring back to the Attorney General;
- (4) Directing forfeiture proceeds to certain involved state and local governments and to the general fund;
- (5) Amending the allowable expenses for monies in the criminal forfeiture fund;
- (6) Requiring the Attorney General to adopt rules necessary to carry out the purpose of the Hawaii Omnibus Criminal Forfeiture Act; and

(7) Amending 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 Department of the Attorney General, Americans for Democratic Action Hawaii, and Common Cause Hawaii. Your Committee received testimony in opposition to this measure from the Department of Public Safety, Office of the Public Defender, Honolulu Police Department, Office of the Prosecuting Attorney for the County of Kaua'i, 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 received comments on this measure from Grassroot Institute of Hawaii.

Your Committee finds that restricting civil asset forfeiture to cases where the person exercised some degree of control over the property and is charged with an offense related to the property will help ensure that property is not arbitrarily confiscated. Furthermore, elevating the standard of proof for the State to forfeit property from preponderance of the evidence to clear and convincing evidence, which is the highest standard used in civil proceedings, will ensure fairness in the civil asset forfeiture process.

Your Committee also finds that imposing time limitations on the use of forfeited property by local or state government entities, municipalities, or law enforcement agencies and amending the distribution and use of proceeds from the sale of forfeited property will minimize 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 January 1, 2022, 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. 1965, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1965, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 3 (Nakamura, Todd, Tokioka). Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 374-22 Judiciary & Hawaiian Affairs on H.B. No. 1886**

The purpose of this measure is to:

- (1) Ban hemp products that contain cannabinoids created through isomerization, including Delta 8 tetrahydrocannabinol; and
- (2) Add Delta 8 tetrahydrocannabinol to the list of schedule I controlled substances.

Your Committee received testimony in support of this measure from the Department of Health and Honolulu Police Department.

Your Committee finds that hemp products containing Delta 8 tetrahydrocannabinol are not approved by the United States Food and Drug Administration (FDA) and may put consumers at risk. The FDA and poison control centers across the nation reported an uptick of adverse events related to Delta 8 tetrahydrocannabinol that included vomiting, hallucinations, trouble standing, and loss of consciousness. The FDA also reported that Delta 8 tetrahydrocannabinol may be marketed in ways that put the public health at risk, including marketing the product for therapeutic or medical uses and marketing to children. This measure will help protect Hawaii consumers and children by banning hemp products that contain Delta 8 tetrahydrocannabinol and adding Delta 8 tetrahydrocannabinol to the list of schedule I controlled substances.

Your Committee has amended this measure by changing the effective date to January 1, 2022, 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. 1886, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1886, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 375-22 Judiciary & Hawaiian Affairs on H.B. No. 1625**

The purpose of this measure is to address existing funding shortfalls experienced by the Crime Victim Compensation Commission by exempting the Crime Victim Compensation Special Fund from transfers for central service expenses and from paying reimbursements for departmental administrative expenses.

Your Committee received testimony in support of this measure from the Department of Public Safety, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, County of Kauai Victim/Witness Program, Hawaii State Coalition Against Domestic Violence, and Mothers Against Drunk Driving.

Your Committee finds that the Crime Victim Compensation Commission is facing funding problems due to the failure of judges to impose the crime victim compensation fee in all eligible cases and court closures during the COVID-19 pandemic. Furthermore, the Commission is required to pay two assessments to the Department of Budget and Finance on all non-tax revenue collected by, or on behalf of, the Commission. Payment of these two assessments limits the amount of funds available for the Commission to pay other operating expenses and victim compensation awards and hinders the Commission's fiscal self-sufficiency. This measure will exempt the Crime Victim Compensation Special Fund from transfers for these reimbursements.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 1625, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1625, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 376-22 Judiciary & Hawaiian Affairs on H.B. No. 2511**

The purpose of this measure is to provide \$600,000,000 to the Department of Hawaiian Home Lands to pursue a multi-pronged approach to eliminating its waitlist. Specifically, this measure:

- (1) Establishes the Hawaiian Home Lands Special Fund; and
- (2) Appropriates funds into and out of the Hawaiian Home Lands Special Fund to enable beneficiaries of the Hawaiian Home Lands Trust to acquire a residence and to enable the Department of Hawaiian Home Lands to fulfill its fiduciary duties to beneficiaries.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Hawaiian Home Lands; Hawaii State Council on Developmental Disabilities; We Are One, Inc.; League of Women Voters of Hawaii; Council for Native Hawaiian Advancement; Kua'āina Ulu 'Auamo; Kanaeokana; The Queen's Health Systems; Boys & Girls Club of Hawaii; Iolani Palace; Hawaiian Community Assets; Hawai'i Community Lending; Native Hawaiian Chamber of Commerce; Catholic Charities Hawai'i; Hawaiian Community Development Board; Hawaii Habitat for Humanity Association; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that the Department of Hawaiian Home Lands faces multi-faceted challenges in fulfilling its mission to develop and deliver land to native Hawaiians. These challenges include the availability of beneficiary preferred lands, cost of infrastructure, and capital for mortgage financing. Your Committee further finds that the revenues collected as of the 2021 fiscal year provide an unprecedented opportunity for the Legislature to ensure critical long-term access to adequate funding for the Department of Hawaiian Home Lands to meet its challenges and fulfill its mission to native Hawaiians.

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. 2511, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2511, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 377-22 Judiciary & Hawaiian Affairs on H.B. No. 1870**

The purpose of this measure is to appropriate funds for a program coordinator and various services to support the Judiciary's 'Ōlelo Hawai'i initiatives.

Your Committee received testimony in support of this measure from the Judiciary, Office of Hawaiian Affairs, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Judiciary is exploring ways to provide 'Ōlelo Hawai'i (Hawaiian language) resources, interpreter, and translation services to the public. This measure is not intended to supplant the Judiciary's existing funding or budget requests to ensure greater support for its 'Ōlelo Hawai'i initiatives.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 1870, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1870, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 378-22 Judiciary & Hawaiian Affairs on H.B. No. 1761**

The purpose of this measure is to authorize the issuance of limited purpose identification cards for individuals who otherwise satisfy the requirements for a government-issued identification card except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under federal law.

Your Committee received testimony in support of this measure from the Office of Community Services, Hawai'i Friends of Civil Rights, Filipina Advocacy Network, The Legal Clinic, Medical-Legal Partnership for Children in Hawai'i, Hawai'i Coalition for Immigrant Rights, and five individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in 2015, the Legislature authorized the issuance of limited purpose driver's licenses, limited purpose provisional driver's licenses, and limited purpose instruction permits to individuals who otherwise satisfy the requirements for a driver's license, provisional driver's license, or instruction permit except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under the federal REAL ID Act. Your Committee further finds that the State does not similarly provide residents who do not drive and are unable to meet the requirements for a REAL ID-compliant identification card with the ability to access state-issued identification. This issue impacts several demographic groups, including young adults, elderly persons, houseless persons, undocumented immigrants, and lawfully present non-immigrants, and is exacerbated by the COVID-19 pandemic since proof of identification is required for entry into many public venues. Authorizing the issuance of limited purpose identification cards will improve access for residents of the State, including marginalized or disadvantaged residents.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 1761, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1761, 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, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 379-22 Judiciary & Hawaiian Affairs on H.B. No. 1759**

The purpose of this measure is to appropriate funds to the Judiciary to contract with nonprofit organizations to provide legal counsel and assistance to low-income immigrants in immigration proceedings, including deportation defense and asylum, and for any other immigration legal issues.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Office of Community Services, Volunteer Legal Services Hawaii, Filipina Advocacy Network, Hawai'i Access to Justice Commission, The Legal Clinic, Pacific Gateway Center, Hawai'i Coalition for Immigrant Rights, Medical-Legal Partnership for Children in Hawai'i, Hawai'i Friends of Civil Rights, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that many immigrants lack the resources to obtain legal representation to help navigate the highly complex immigration court process, which may result in detainment or deportation. This measure will allow immigrants to obtain vital legal counsel and assistance to ensure a more fair 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 H.B. No. 1759 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, 9; Ayes with Reservations (McKelvey). Noes, none. Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 380-22 Judiciary & Hawaiian Affairs on H.B. No. 2073**

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. Your Committee received comments on this measure from Department of Budget and Finance.

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.

As 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. 2073 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, 1 (McKelvey). Excused, 3 (LoPresti, Lowen, Ward).

#### **SCRep. 381-22 Judiciary & Hawaiian Affairs on H.B. No. 1655**

The purpose of this measure is to expand the types of activities excluded from the definition of "development" as it applies to special management areas to reduce the need for special management area permits for these activities.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of Planning and Sustainable Development, one member of the Maui County Council, Department of Public Works of the County of Maui, Department of Planning of the County of Maui, Department of Planning and Permitting of the City and County of Honolulu, and one individual.

Your Committee finds that this measure will streamline special management area permitting procedures and reduce costs for certain activities that do not have adverse environmental impacts on the special management area.

Your Committee has amended this measure by:

- (1) Amending the exclusion for installation, maintenance, repair, and replacement of public pedestrian and bicycle facilities to include traffic control barriers that will not obstruct shoreline access;
- (2) Excluding the installation of fencing for protection of public utility infrastructure;
- (3) Excluding the construction, installation, maintenance, repair, and replacement, including the installation of security measures, to existing government facilities in the special management area by government agencies; 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. 1655, 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. 1655, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (McKelvey). Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 382-22 Judiciary & Hawaiian Affairs on H.B. No. 2187**

The purpose of this measure is to:

- (1) Provide for the expiration of two terms of members of the University of Hawaii Board of Regents each year, instead of three terms; and
- (2) Require the Governor to adjust the terms of members appointed to the University of Hawaii Board of Regents until the number of terms set to expire each year is two, not including the student member.

Your Committee received testimony in support of this measure from the University of Hawaii Board of Regents.

Your Committee finds that Act 172, Session Laws of Hawaii 2019, reduced the number of members of the University of Hawaii Board of Regents (Board) from fifteen to eleven. This means that the expiration of members terms are not evenly distributed over coming years which may result in sudden losses of institutional knowledge and experience. This measure seeks to realign the terms of Board members until an equitable number of terms expire each year.

As 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. 2187, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 383-22 Judiciary & Hawaiian Affairs on H.B. No. 1560**

The purpose of this measure is to amend the minimum qualifications for Board of Education members to:

- (1) Diversify the experiences of board members to include knowledge, experience, and proven expertise in education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate, finance, or organizational management; and

- (2) Clarify that members must have an understanding of best practices in educational governance through organizations such as the National Association of State Boards of Education or similar organizations.

Your Committee received testimony in support of this measure from HawaiiKidsCAN and one individual. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that requiring Board of Education members to have diversified backgrounds, expertise, and perspectives and knowledge about best practices from expert organizations will advance Hawaii's education system.

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. 1560, 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. 1560, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 384-22 Judiciary & Hawaiian Affairs 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 passage and ratification of a constitutional amendment authorizing the State to have real property taxing authority and the enactment of a state law specifying real property tax amounts.

Your Committee received testimony in opposition to this measure from Hawaii Children's Action Network Speaks!, League of Women Voters of Hawaii, Hawai'i Appleseed Center for Law and Economic Justice, Maui Chamber of Commerce, and eleven individuals. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

Your Committee finds that Hawaii has the second highest income tax rates and the lowest real property tax rates in the nation. This tax structure results in the overall tax burden being placed on the residential workforce, while effectively subsidizing non-residents' real estate investments in Hawaii. This measure will suspend and refund by January 1, 2026, personal and corporate income tax amounts received or withheld by the Department of Taxation upon the ratification of a constitutional amendment authorizing the State to tax real property and the enactment of state law specifying real property tax amounts to be levied and assessed.

Your Committee further finds that the intention of this measure is to eliminate personal and business income taxes and offset these tax revenue sources with real property taxes. Your Committee believes it is the intention of the Legislature to eventually double the homeowner and senior exemptions on real property taxes to lessen the overall tax burden on local residents. This measure is contingent upon the enactment of House Bill No. 1208, House Draft 2, Regular Session of 2022, and the ratification of an amendment to the Hawaii State Constitution that repeals the counties' exclusive authority for real property taxation.

Your Committee has amended this measure by:

- (1) Clarifying the intention of the 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1209, 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. 1209, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Takumi, Tokioka). Noes, 1 (Ward). Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 385-22 Judiciary & Hawaiian Affairs on H.B. No. 1571**

The purpose of this measure is to make it a civil violation for a person to intentionally, knowingly, or negligently:

- (1) Misrepresent the person's COVID-19 vaccination status to a business, church, nonprofit organization, or governmental entity;
- (2) Falsify, alter, or purchase falsified or altered COVID-19 vaccination documents for personal use;
- (3) Use a falsified or altered COVID-19 vaccination card; or
- (4) Sell, distribute, or manufacture a falsified or altered COVID-19 vaccination card for use by others.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Primary Care Association, and Hawaii Immunization Coalition. Your Committee received testimony in opposition to this measure from one member of the Kaua'i County Council, Honolulu County Republican Party, ShakaMaps LLC, HiKai Freedom Hui, and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General and one individual.

Your Committee finds that the State and its residents, businesses, and health care professionals rely on accurate COVID-19 vaccination information to ensure compliance with health and safety requirements. The increased use of falsified vaccination verification documents in the State jeopardizes public health and safety and economic stability. Your Committee believes that persons who use or manufacture falsified vaccination verification documents should be held criminally responsible for their actions.

Accordingly, your Committee has amended this measure by amending the civil violation to instead establish the criminal offense of falsified COVID-19 vaccination status, which prohibits a person from intentionally, knowingly, or recklessly:

- (1) Providing false information regarding the person's or another person's COVID-19 vaccination status to a business, nonprofit organization, or governmental entity;
- (2) Uploading, providing, presenting, uttering, or otherwise using falsified verification of the person's or another person's COVID-19 vaccination status; and
- (3) Manufacturing, distributing, disseminating, issuing, selling, offering for sale, importing, or offering to import into this State falsified verification of COVID-19 vaccination status or a blank or incomplete COVID-19 vaccination status verification document or code under circumstances that would lead a reasonable person to believe that the blank or incomplete verification document or code would be used to create a falsified verification.

As 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. 1571, 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. 1571, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 386-22 Judiciary & Hawaiian Affairs on H.B. No. 1414**

The purpose of this measure is to make a person who is the registered owner of a vehicle that was deemed abandoned or derelict subject to a tiered fine system for multiple violations.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Department of Customer Services of the City and County of Honolulu, Department of Environmental Management of the County of Maui, Department of Environmental Management of the County of Hawai'i, Kauai Police Department, Hawaii Council of Mayors, Nanawale Board of Directors, and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that counties are inundated with complaints regarding abandoned or derelict vehicles. Your Committee further finds that the counties are burdened with the costs of towing and disposing of those vehicles with no mechanism to recover the costs. This measure will aid in the recovery of costs from registered owners with multiple abandoned or derelict vehicles while deterring the abandonment of vehicles.

As 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. 1414, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 387-22 Consumer Protection & Commerce on H.B. No. 2272**

The purpose of this measure is to:

- (1) Permit sixty-seven percent of condominium unit owners to amend a condominium declaration;
- (2) Require developers' public reports to include annual reserve contributions based on a reserve study;
- (3) Clarify time and date requirements for petitions to amend bylaws and calls for special meetings; electronic, machine, and mail voting during periods of emergency; time frame for approval of minutes; and board meeting participation; and
- (4) Require a condominium association's reserve study to be performed by an independent, certified reserve specialist and prepared or updated at least every three years.

Your Committee received testimony in support of this measure from the Hawaii State Association of Parliamentarians and three individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Hawaii Council of Associations of Apartment Owners; Hawaii Insurers Council; Associa; Community Associations Institute, Legislative Action Committee Hawaii Chapter; and ten individuals.

Your Committee finds that this measure makes various clarifying amendments related to condominium governance and financial solvency, including offering condominium associations the ability to make rules available to condominium owners on an association's website. Your Committee notes that many condominium associations do offer accommodation in hard copy and other means of providing notice and it is not your Committee's intention to curtail this practice. Rather, the expectation of your Committee is that condominium associations will continue to offer accommodations regarding notice. However, your Committee does believe this issue may warrant clarification as this measure moves through the legislative process.

Your Committee further finds that this measure amends the condominium law to specify that a proxy must be given to the secretary or managing agent of an association no later than Hawaii-Aleutian Standard Time. Your Committee understands that this is duplicative, as section 1-30, Hawaii Revised Statutes (HRS), specifies that times referred to in statute are to be construed to be Hawaiian Standard Time. Your Committee notes, however, that many condominium associations may be multi-state and may be looking only within the condominium law, rather than the overall HRS. Therefore, your Committee finds that the reference to Hawaii-Aleutian Standard Time is a helpful clarification for those who may be unfamiliar with the HRS, even though it is not strictly necessary.

Your Committee has amended this measure by:

- (1) Removing the requirement that a condominium association's reserve study be completed by an independent, certified reserve specialist every three years;
- (2) Changing the effective date to January 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2272, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2272, 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, none.

#### **SCRep. 388-22 Education/Higher Education & Technology on H.B. No. 2284**

The purpose of this measure is to address the shortfall of licensed teachers in public schools, especially in Hawaiian immersion and identified shortage area schools, by establishing and appropriating funds for the Hawaii Teacher Stipend Program, to be administered by the Department of Education, to provide stipends to students enrolled in a University of Hawaii teacher program and who agree to teach in Hawaii's public schools for five years, with preference given for students who commit to teach in a Hawaiian immersion school.

Your Committees received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Education; State Public Charter School Commission; Hawaii State Teachers Association; 'Aha Pūnana Leo; Kamehameha Schools; Ka 'Aumanu, Nā Leo Kāko'o o Maui, Inc.; Hui Makua o Pū'ōhala; Kanaeokana; Aha Kauleo; Ke Kula Kaiapuni o Waimanalo; Ke Kula Kaiapuni o Kalama; and numerous individuals. Your Committees received testimony in support of the intent of this measure from the College of Education of the University of Hawaii at Manoa. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that Olelo Hawaii, the Hawaiian language, has been the native language of Hawaii's indigenous people for over two thousand years and has provided the foundation for the establishment and development of Hawaiian society. Your Committees further find that the Ka Papahana Kaiapuni, or the Hawaiian language immersion program, established under Board of Education policy 105-8 in 1986, helped to revitalize Hawaii's native language and create new generations of Hawaiian language speakers. However, despite the many successes of the Hawaiian immersion program, there is still a shortage of qualified teachers, including a lack of Hawaiian immersion special education service providers, which impedes the success and growth of Hawaiian immersion schools. This measure will incentivize and give preference to university students enrolled in teacher education programs to commit to teaching in Hawaiian immersion schools and provide greater access to Hawaiian immersion education to Hawaii's youth in the future.

Your Committees have amended this measure by:

- (1) Establishing the Hawaii Charter School Stipend Program and Hawaii Charter School Stipend Program Special Fund, to be administered by the State Public Charter School Commission, for students enrolled in a University of Hawaii teacher education program and who agree to teach in public charter schools for five years, with preference given for students who commit to teach in a Hawaiian immersion school;
- (2) Appropriating funds to be deposited into the Hawaii Charter School Teacher Stipend Program Special Fund and for the establishment and implementation of the Hawaii Charter School Stipend Program;
- (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 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. 2284, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2284, 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. 389-22 Education/Economic Development on H.B. No. 2330**

The purpose of this measure is to require and appropriate funds to the Department of Education to establish a native hatchery fish pilot program at Waianae High School.

Your Committees received testimony in support of this measure from the Department of Education, Kua'āina Ulu 'Auamo, Hawaii Food+ Policy, Ko'olau Waialua Alliance, and nine individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that loko i'a, or traditional fishponds, offer a critical opportunity for realizing the promise of Hawaii's sustainable future, as they represent a unique nexus of environmental, cultural, social, and economic benefits. Your Committees further find that the marine science learning center at Waianae High School currently has a functioning aquaculture facility with a saltwater well that has been the central focus of the science curriculum delivered to students enrolled in the major for more than twenty-five years. Your Committees believe that Waianae High School is capable of hosting a fish hatchery pilot program to further the development of hatcheries for fishpond production in the State and provide training and certification pathways for aquaculture technicians and operators at fishponds.

Your Committees have amended this measure by:

- (1) Changing the amounts appropriated to unspecified amounts;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to deliberate on this measure, your Committees on Education and Economic Development respectfully request that it consider appropriating \$855,000 for fiscal year 2022-2023 to the Department of Education for the establishment of a native fish hatchery pilot program at Waianae high school, to be used as follows:

- (1) \$65,000 for one full-time equivalent (1.0 FTE) hatchery manager position;
- (2) \$90,000 for two full-time equivalent (2.0 FTE) hatchery technicians; and
- (3) \$700,000 for the construction, operation, and maintenance of a hatchery, including the greenhouse structure to house the hatchery operations.

As affirmed by the records of votes of the members of your Committees on Education and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2330, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2330, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 9. Noes, none. Excused, 3 (Belatti, Gates, Yamane).

Economic Development: Ayes, 6. Noes, none. Excused, 2 (Belatti, D. Kobayashi).

#### **SCRep. 390-22 Higher Education & Technology on H.B. No. 1415**

The purpose of this measure is to protect the community from violence and threats of violence by:

- (1) Assisting organizations in developing threat assessment teams by providing them the opportunity for threat assessment training and assistance with threat team building;
- (2) Enabling threat assessment team members to obtain and share information from different sources needed to assess threats of violence; and
- (3) Protecting personal privacy by ensuring that only vetted threat assessment team members may receive certain sensitive information and specifying that the information may not be used for any purpose beyond what is necessary for a team to assess a threat.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Fusion Center, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and Department of Budget and Finance.

Your Committee finds that when communities face violence or threats of violence, the development of threat assessment teams within organizations can help these organizations identify, assess, and manage the threats. A multidisciplinary threat assessment team consisting of individuals with diverse training



and experience, including psychologists, health care providers, social workers, substance abuse counselors, and disability service providers, can help prevent violence and find solutions to manage threats.

Your Committee has amended this measure by:

- (1) Specifying that addressing threats of violence through the development of threat assessment teams is a matter of statewide concern;
- (2) Removing amendments that would have allowed the Hawaii State Fusion Center of the Office of Homeland Security access to information from the juvenile justice information system; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating \$100,000 for the first year of training costs and related expenses.

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. 1415, 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. 1415, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Okimoto). Noes, none. Excused, 1 (Quinlan).

#### **SCRep. 391-22 Higher Education & Technology on H.B. No. 2185**

The purpose of this measure is to authorize the University of Hawaii to issue \$100,000,000 in revenue bonds to complete as many of its priority capital facility construction, renovation, modernization, and repair projects as possible.

Your Committee received testimony in support of this measure from the University of Hawai'i System.

Your Committee finds that this measure is necessary to enable the University of Hawaii to continue addressing its capital facility needs, including construction of new projects and reducing the backlog of major repairs and maintenance.

Your Committee has amended this measure by:

- (1) Changing the amounts of the revenue bonds authorized and revenue bond proceeds appropriated to unspecified amounts; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider authorizing the issuance of \$100,000,000 in revenue bonds and appropriating the same amount in revenue bond proceeds.

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. 2185, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2185, 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. 392-22 Higher Education & Technology on H.B. No. 2229**

The purpose of this measure is to:

- (1) Require the University of Hawaii to establish and implement a two-year program to study the impact of sandbag walls on sand movement patterns and coastal erosion and on certain public trust resources at Ehukai Beach Park on the North Shore of Oahu, including from the shoreline area near Ke Iki Road to Sunset Beach;
- (2) Require the University of Hawaii to submit a report of its study findings and recommendations to the Legislature prior to the Regular Session of 2025; and
- (3) Appropriate funds to the University of Hawaii for the study.

Your Committee received testimony in support of this measure from the University of Hawaii System, Oceanit, and one individual. 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 beach and shoreline erosion has been a persistent and increasing problem for the Hawaiian islands and is particularly acute in certain sections of the North Shore of Oahu. Your Committee further finds that sand bag walls, often referred to as "sand burritos", are one of several erosion control devices. However, sand bag walls are only a temporary measure against erosion, and it is unclear if there may be other, unintended consequences from their use. This measure appropriates funds to study the use of sandbag walls and how they affect sand movement patterns and coastal erosion.

Your Committee notes that the estimated cost for the study, as suggested by the University of Hawaii, is between \$300,000 to \$500,000 over a three-year period.

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. 2229, 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 (Kapela). Noes, none. Excused, 1 (Quinlan).

#### **SCRep. 393-22 Higher Education & Technology on H.B. No. 2410**

The purpose of this measure is to establish a working group to develop a plan for the phased consolidation of information technology services and staff within Executive Branch agencies of the State over a five-year timespan, excluding the Department of Education, Hawaii Health Systems Corporation, and University of Hawaii.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services and Transform Hawai'i Government.

Your Committee finds that large organizations like state government would benefit by consolidating information technology resources to gain economies of scale and provide for a more efficient and secure use of technology and information management.

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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2410, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2410, 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 (Quinlan).

#### **SCRep. 394-22 Housing on H.B. No. 1748**

The purpose of this measure is to support the development of more affordable rental housing in the State by authorizing, and appropriating funds for, the issuance of general obligation bonds for deposit into the Rental Housing Revolving.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, EAH Housing, Catholic Charities Hawai'i, and Partners In Care. Your Committee received comments on this measure from the Hawai'i Appleseed Center for Law & Economic Justice.

Your Committee finds that there is a shortage of available funding in the Rental Housing Revolving Fund, which was created to provide loans or grants for the development, pre-development, construction, acquisition, preservation, and substantial rehabilitation of rental housing units in the State. Your Committee finds that an infusion of monies into the Rental Housing Revolving Fund will increase the development of affordable rental housing to alleviate the affordable housing shortage and provide much-needed housing for low-income families and individuals.

Your Committee has amended this measure by:

- (1) Appropriating funds out of the Rental Housing Revolving Fund for low-income rental housing projects and units that are allocated low-income housing tax credits and developed for families and individuals who meet certain income eligibility 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1748, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1748, 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 (McDermott).

#### **SCRep. 395-22 Housing on H.B. No. 2022**

The purpose of this measure is to remove the requirement that housing project developments by the Hawaii Housing Finance and Development Corporation obtain approval from county legislative bodies; provided that the development project meets the appropriate zoning or plan designation.

Your Committee received testimony in opposition to this measure from eight individuals. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that this measure seeks to expedite affordable housing development by providing an alternative to the zoning and development plan amendment process, which can take years. Your Committee finds that seeking ways to make the housing development process more efficient will help accelerate the development of affordable 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. 2022, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2022, 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 (McDermott).

#### **SCRep. 396-22 Water & Land on H.B. No. 2166**

The purpose of this measure is to streamline the process for completing the Department of Land and Natural Resources' required annual payment of debt service on the reimbursable general obligation bonds for the Turtle Bay conservation easement and related property interests.

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

Your Committee finds that existing law requires the Legacy Land Conservation Program to complete a cumbersome and prolonged annual grant application and award process before the Department of Land and Natural Resources can make an annual debt service payment on the reimbursable general obligation bonds for Turtle Bay. This measure streamlines the debt service process by removing the requirement that the Legacy Land Conservation Program file an annual application with the Board of Land and Natural Resources.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2166, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2166, 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. 397-22 Water & Land on H.B. No. 1654**

The purpose of this measure is to authorize the Board of Land and Natural Resources to adopt, amend, or repeal administrative fee schedules for parking fees for locations under management of, or operated by, the Division of Boating and Ocean Recreation through regular or special board meetings rather than through administrative rulemaking.

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 League of Women Voters of Hawaii.

Your Committee finds that amending fees schedules for parking fees through administrative rulemaking can be a lengthy and time-consuming process. This measure allows the Division of Boating and Ocean Recreation to react in a timely manner to changing market conditions and unforeseen circumstances.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1654, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1654, 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. 398-22 Water & Land on H.B. No. 2446**

The purpose of this measure is to:

- (1) Appropriate funds to the Department of Land and Natural Resources to establish twenty-eight full-time equivalent positions in Parks and Administration (LNR 806) to implement visitor reservation systems in Hawaii state parks; and
- (2) Appropriate funds out of the State Parks Special Fund to the Department of Land and Natural Resources for the management of Hawaii's state parks.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, and Hawaii Tourism Authority. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that prioritizing the State's natural resources is an essential component of destination management. Your Committee notes that, prior to 2020, annual arrivals to Hawaii exceeded ten million visitors, and according to state economists, Hawaii will return to pre-pandemic tourism levels by 2025. To prepare for the rising visitor numbers, your Committee believes that Hawaii's state parks can be better managed using a visitor reservation system.

Your Committee further finds that, in 2018, massive flooding on Kauai damaged surrounding bridges, beaches, and roads, forcing Haena State Park to close for fourteen months. When Haena State Park reopened, the Department of Land and Natural Resources worked with the local community to implement a reservation system that allowed a maximum of nine hundred park visitors per day. This measure appropriates funds for positions to allow the Department of Natural Resources to implement a similar reservation model created at Haena State Park that can be used in all Hawaii state parks.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2446, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2446, 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. 399-22 Water & Land on H.B. No. 1552**

The purpose of this measure is to clarify the composition of members of the Stadium Authority as added by Act 146, Session Laws of Hawaii 2021.

Your Committee received testimony in support of this measure from the Stadium Authority. Your Committee received comments on this measure from the University of Hawaii System.

Your Committee finds that the addition of two new members to the Stadium Authority, as provided in this measure, will ensure that there is an appropriate number of members in any given year as departing members end their final term and newly appointed members begin their term.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1552, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1552, 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. 400-22 Water & Land on H.B. No. 2196**

The purpose of this measure is to establish a two-year Stream Maintenance Reimbursement Pilot Program under the Department of Land and Natural Resources.

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, Department of Budget and Finance, and Department of Public Works of the County of Maui.

Your Committee finds that a common concern of homeowners and other landowners is the accumulation of debris in streams, which can lead to flooding. This problem is compounded by illegal dumping and trash that clog and pollute Hawaii's streams. Your Committee further finds that effective stream management and maintenance are essential to keep waterways clear and prevent flooding.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2196, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2196, 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 (Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 401-22 Water & Land on H.B. No. 2413**

The purpose of this measure is to require the Department of Land and Natural Resources to conduct a feasibility study on a revenue-generating and management system of user fees for Hawaii's state parks.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Ko'olau Foundation, and Ko'olaupoko Hawaiian Civic Club. 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 the increase in user fees at Diamond Head State Monument has proven to be significantly profitable and beneficial to provide needed revenue for natural resource management. Another successful endeavor has occurred at Haena State Park, where advance reservations are required for all vehicles, walk-in entries, shuttle riders, and hikers. Your Committee further finds that it is necessary and prudent for the State to explore how the Department of Land and Natural Resources can expand these types of revenue-generating and management methods so that Hawaii's state parks, state monuments, state recreation areas, and wilderness parks can be enhanced for residents and visitors alike.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2413, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2413, 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 (Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 402-22 Water & Land on H.B. No. 2200**

The purpose of this measure is to appropriate funds to the Department of Agriculture to continue the Ports-of-Entry Biosecurity Program.

Your Committee received testimony in support of this measure from the Department of Transportation; Department of Agriculture; Department of Land and Natural Resources; Department of Health; Big Island Invasive Species Committee; Coordinating Group on Alien Pest Species; Hawaii Cattlemen's Council, Inc.; Hawaii's Farm Bureau; and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that invasive species pose the biggest threat to Hawaii on many fronts. The Ports-of-Entry Biosecurity Program, formerly known as Māmalu Poepoe, has prevented the introduction and spread of high-risk pests in Hawaii through a multi-agency pest monitoring system at state airports. Your Committee further finds that the continued operation of the Ports-of-Entry Biosecurity Program is of great importance in protecting the State from invasive species.

Your Committee has amended this measure by:

- (1) Deleting the amounts of the appropriations;
- (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.

Your Committee respectfully requests your Committee on Finance, should it choose to hear this measure, to consider appropriating \$525,000 for fiscal year 2022-2023 for the Ports-of-Entry Biosecurity Program, to be allocated as follows:

- (1) \$425,000 for personnel costs;
- (2) \$60,000 for materials and supplies;
- (3) \$15,000 for travel expenses; and
- (4) \$25,000 for all other costs.

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. 2200, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2200, 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 (Ganaden, Kong, McDermott).

#### **SCRep. 403-22 Water & Land on H.B. No. 2276**

The purpose of this measure is to appropriate funds for the removal of albizia trees that potentially threaten public roadways and utility infrastructure rights of way on public and private land; provided that the funds are matched on a two-to-one basis from a public utilities source.

Your Committee received testimony in support of this measure from Hawaiian Electric and two individuals. 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 albizia trees are an invasive species that present a threat to life, property, public roads, and utility infrastructure in Hawaii.

Your Committee has amended this measure by:

- (1) Specifying that the trees proposed to be removed under this measure are albizia and other invasive trees;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2276, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2276, 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 (Ganaden, Kong, McDermott).

#### **SCRep. 404-22 Water & Land on H.B. No. 1930**

The purpose of this measure is to make a one-time appropriation to the Department of Land and Natural Resources for the Fish Aggregation Device Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, HFACT, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the State's system of fish aggregation devices, maintained by the Division of Aquatic Resources in partnership with the Hawaii Institute of Marine Biology, provides enhanced fishing opportunities for island fishers. According to the Department of Land and Natural Resources, an average of fifteen fish aggregation devices go missing each year, and the Department has been unable to keep up with the replacement of missing devices. A one-time infusion of funds to replace off-station fish aggregation devices and to replace devices in the coming year would bring the Fish Aggregation Device Program back to full capacity.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1930, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1930, 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 (Ganaden, Kong, McDermott).

#### **SCRep. 405-22 Water & Land on H.B. No. 1979**

The purpose of this measure is to protect threatened or endangered species in Hawaii by:

- (1) Requiring all persons, before engaging in an activity with a high likelihood of resulting in an incidental take of a threatened or endangered species, to enter into a planning process with the Department of Land and Natural Resources for the purpose of preparing and implementing a habitat conservation plan; and
- (2) Requiring habitat conservation plans to include additional components.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Wildlife Center, Save Our Shearwaters, and one individual.

Your Committee finds that certain activities of modern life have a higher likelihood to incidentally cause injury or death to threatened or endangered species, including seabirds, forest birds, nene, and bats. This measure would appropriately place the burden of compliance with incidental take and other requirements and accountability for engaging in actions with a high likelihood of incidental take with entities engaging in these types of actions, thereby decreasing the likelihood of the unauthorized take of threatened and endangered species.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1979, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1979, 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, 3 (Ganaden, Kong, McDermott).

#### **SCRep. 406-22 Economic Development on H.B. No. 1502**

The purpose of this measure is to subject a defendant who has been convicted of four misdemeanors in any business district or resort zoned area to a probationary term of geographic restriction.

Your Committee received testimony in support of this measure from the Waikiki Neighborhood Board No. 9 and ten individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General. Your Committee received comments on this measure from one individual.

Your Committee finds that business districts and resort areas tend to have increased rates of criminal activity partly due to high rates of foot traffic. In addition the criminal activity in these areas is often at the hands of repeat offenders who return to the same location to victimize new, unsuspected individuals. This measure would make these areas safer by imposing strict penalties for repeat offenders.

Your Committee has amended this measure by:

- (1) Clarifying that a resort area is an area zoned for resort or resort-hotel use by the appropriate county land use decision-making authority; and
- (2) Making technical, 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. 1502, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1502, 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 (Holt, Sayama). Noes, 2 (D. Kobayashi, Okimoto). Excused, none.

#### **SCRep. 407-22 Economic Development on H.B. No. 2225**

The purpose of this measure is to appropriate funds for the Hawaii Small Business Innovation Research Program, Manufacturing Assistance Grant Program, and Excelsior Grant Program.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Oceanit; Chamber of Commerce Hawaii; Nalu Scientific, LLC; Pacific Impact Zone; Hawaii Food Manufacturers Association; Hawai'i Farm Bureau; 3D Innovations; Pacific Business Services; Hyperspective; Makai Ocean Engineering, Inc.; Hawaii Fish Company Inc; Diamond Bakery Co., Ltd.; Dana Labels, Inc.; Premier Solutions LLC; Hawaii Food Industry Association; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that manufacturing is critical to the State's economy. The Hawaii Technology Development Corporation is a key state agency in the development and support of Hawaii's manufacturing industry. The Small Business Innovation Research Program, Manufacturing Assistance Grant Program, and Excelsior Grant Program were created to support the manufacturing industry and have provided many jobs since their creation. This measure would ensure the continuation of these critical programs, thereby further enhancing the State's economy and creating more jobs for its residents.

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. 2225 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. 408-22 Economic Development on H.B. No. 2414**

The purpose of this measure is to establish a general excise tax exemption for the gross proceeds or income from the manufacture, production, packaging, and sale of diapers.

Your Committee received testimony in support of this measure from the Hawai'i Diaper Bank, Aloha Diaper Bank, Nest for Families a Program of Multiplier, Family Support Hawai'i, Hawaii Children's Action Network Speaks!, Retail Merchants of Hawaii, Neighborhood Place of Kona, Hilo Crescent City Lions Club, National Diaper Bank Network, Hawaii Food Industry Association, and ten individuals. 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 one out of every three families struggle with diaper needs, or the inability to provide a sufficient supply of diapers to keep their child clean, dry, and healthy. Unlike other necessities, there is currently no governmental assistance for purchasing diapers. Your Committee further finds that due to the exorbitant cost of diapers, some families are forced to stretch the time between diaper changes, which often leads to diaper rash and other painful infections. This measure would help families in need by providing a general excise tax exemption for diapers, thereby ensuring the health of babies 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 H.B. No. 2414 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, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 409-22 Economic Development on H.B. No. 2131**

The purpose of this measure is to extend the availability of the earned income tax credit until December 31, 2028.

Your Committee received testimony in support of this measure from the Department of Taxation, Department of Human Services, Department of Budget and Finance, Hawai'i Health & Harm Reduction Center, Chamber of Commerce Hawaii, and Hawaii Children's Action Network Speaks!. Your Committee received comments on this measure from the League of Women Voters of Hawaii, Catholic Charities Hawai'i, Tax Foundation of Hawaii, and Parents And Children Together.

Your Committee finds that the structure of the state income tax, general excise tax, and other taxes disproportionately impact low-income households and working families much more than most other states. Further, this tax structure often results in higher earning households paying a smaller percentage of their earned income and disposable income in state taxes.

Your Committee further finds that the earned income tax credit has helped many local families maintain financial security; however, the tax credit is set to expire this year. This measure will continue to reduce the tax burden for low- to moderate-income families by extending the expiration date of the earned income tax credit.

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. 2131 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; Ayes with Reservations (Belatti, Onishi, Takayama). Noes, none. Excused, none.

#### **SCRep. 410-22 Economic Development on H.B. No. 2086**

The purpose of this measure is to:

- (1) Expand funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Hawaii Film and Creative Industries Development Special Fund (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 film and creative industries.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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. 2086, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2086, 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. 411-22 Economic Development on H.B. No. 2082**

The purpose of this measure is to require the Department of Business, Economic Development, and Tourism to:

- (1) Promote the acquisition of appropriate patents and copyrights for "Hawaii Made" products; and
- (2) Study and prepare a plan for the promotion and enforcement of either a "Hawaii Made" or "Made in Hawaii" program and evaluate which name to use.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that Act 2, Special Session Laws of Hawaii 2021, transferred the oversight of the "Hawaii Made" program for manufactured products and the "Hawaii Made" trademark to the Department of Business, Economic Development, and Tourism. Your Committee further finds that the use of the name "Hawaii Made" or "Made in Hawaii" may have different standards limiting flexibility. This measure will clarify the program and determine the proper enforcement procedures and responsibilities, thereby expanding the number of companies that will seek to be certified to use the "Hawaii Made" or "Made in Hawaii" designation.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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. 2082, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2082, 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. 412-22 Economic Development on H.B. No. 2409**

The purpose of this measure is to:

- (1) Establish a public policy framework that addresses state goals regarding economic disaster mitigation, economic diversification, import substitution, and community development;
- (2) Appropriate funds to implement the projects that address these goals;
- (3) Identify additional projects authorized in the executive budget to be implemented by the Department of Business, Economic Development, and Tourism; and
- (4) Require the Department of Business, Economic Development, and Tourism to submit annual reports to the Legislature summarizing project outcomes.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Office of Planning and Sustainable Development; Hawaii Community Development Authority; Hawaii State Energy Office; Hawai'i Tourism Authority; Natural Energy Laboratory of Hawaii Authority; Hawaii Technology Development Corporation; and seventeen individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawai'i Energy.

Your Committee finds that the early onset of the coronavirus disease 2019 pandemic devastated the State's economy. While the State is beginning to recover from the economic damages, your Committee believes that the State must improve its economic coordination and focus its efforts to meet state goals in the areas of economic disaster mitigation, economic diversification, import substitution, and community development. This measure supports various efforts and projects that will help the State achieve these goals.

Your Committee has amended this measure by:

- (1) Clarifying that projects addressing import substitution shall look into the impact of consumable imported goods;
- (2) Deleting language that would have appropriated funds for an import substitution project relating to the Solarize Waianae project; 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. 2409, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2409, 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. 413-22 Economic Development on H.B. No. 2439**

The purpose of this measure is to:

- (1) Establish the Hawaii Start-Up Business Loan Program and Hawaii Start-Up Business Loan Program Special Fund; and
- (2) Appropriate funds for the Hawaii Start-up Business Loan Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii Technology Development Corporation; Chamber of Commerce Hawaii; and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State is in need of an alternative source of financial assistance for new businesses and enterprises to expand and succeed in Hawaii. Many businesses that began during the coronavirus disease 2019 pandemic are having difficulty accessing capital at reasonable rates and terms. This measure would provide immediate working capital and equipment to new businesses and encourage the diversification of economic opportunities for the State's residents.

Your Committee has amended this measure by:

- (1) Expanding the sources of monies that may be deposited into the Hawaii Start-Up Business Loan Program Special Fund;
- (2) Changing the effective date to October 18, 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. 2439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2439, 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. 414-22 Education on H.B. No. 1865**

The purpose of this measure is to ensure compliance with chapter 302D, Hawaii Revised Statutes, which establishes regulations for public charter schools, by:

- (1) Repealing the exemption for charter schools from requirements on the administration and use of the federal funds allocated to the State for public education purposes;
- (2) Clarifying that the disbursement of the funds shall not be conditioned on the agreement of a public charter school to amend an existing charter contract; and
- (3) Amending the manner in which funds are disbursed to public charter schools.

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 Budget and Finance. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that the distribution of per-pupil funds to charter schools by the State Public Charter School Commission may be inconsistent with the original intent of the Legislature and not in compliance with the letter and spirit of chapter 302D, Hawaii Revised Statutes. This measure seeks to ensure compliance with chapter 302D, Hawaii Revised Statutes, and provide equitable funding for all students in public charter schools.

Your Committee has amended this measure by:

- (1) Requiring the State Public Charter School Commission, rather than the Department of Budget and Finance, to disburse funding directly to charter schools;
- (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. 1865, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1865, 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 (Belatti, Ohno).

#### **SCRep. 415-22 Education on H.B. No. 1935**

The purpose of this measure is to appropriate funds for the installation of air conditioning and filtration units in classrooms in West Hawaii island that have the necessary electrical infrastructure to support it.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and one individual. Your Committee received testimony in support of the intent of this measure from the Democratic Party of Hawaii Education Caucus.

Your Committee finds that vog, or volcanic smog, is a form of air pollution that occurs when volcanic emissions react with moisture, oxygen, and sunlight. When volcanic eruptions occur on Hawaii island, prevailing wind patterns typically push vog emissions westward, where they accumulate over north and south Kona and affect the air quality to the point where it poses significant health risks.

Your Committee further finds that public health recommendations to reduce exposure to vog include staying indoors with windows closed and using an air filter. However, in schools without air conditioning, it can be very difficult to follow the recommendations and keep a healthy learning environment at the same time. This measure will provide funding for air conditioners in West Hawaii island classrooms to create safer, more comfortable, and more effective learning environments for the students of West Hawaii island.

Your Committee has amended this measure by:

- (1) Changing the general obligation bond and appropriation amount to an unspecified amount;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



Should your Committee on Finance decide to deliberate on this measure, your Committee on Education respectfully requests that it authorize the Director of Finance to issue \$11,160,000 in general obligation bonds and appropriate the same amount for fiscal year 2022-2023 to the Department of Education for the installation of air conditioning and filtration units in public school classrooms in West Hawaii island, as follows:

- (1) \$360,000 for two classrooms and the cafeteria at Kahakai Elementary School;
- (2) \$3,000,000 for fifty classrooms at Kealakehe Elementary School;
- (3) \$2,400,000 for forty classrooms at Kealakehe Intermediate School; and
- (4) \$5,400,000 for ninety classrooms Kealakehe High School.

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. 1935, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1935, 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. 416-22 Education on H.B. No. 2494**

The purpose of this measure is to appropriate funds to the Department of Education for the:

- (1) Expansion of civic education in Hawaii's public school system, including professional development and classroom resources related to the Hawaii core standards in social studies; and
- (2) Hiring of one full-time equivalent permanent civic education resource teacher position.

Your Committee received testimony in support of this measure from the Department of Education, Commission to Promote and Advance Civic Education, Stonewall Caucus of the Democratic Party of Hawaii, Common Cause Hawaii, Americans for Democratic Action Hawaii, Community Alliance on Prisons, Hawaii State Teachers Association, and twelve individuals. Your Committee received testimony in support of the intent of this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that civic education prepares students to participate in the public and political lives of their communities and helps them develop critical thinking skills that are vital to the functioning of a democratic nation. Your Committee further finds that in the 2020 general election, forty states had a higher voter turnout than Hawaii. This measure appropriates funds to the Department of Education to increase access to civic education in Hawaii's public school systems to increase voter turnout and citizen engagement over the long term.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated to unspecified amounts;
- (2) Changing its effective date to July 1, 2050; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to deliberate on this measure, your Committee respectfully requests that it appropriate to the Department of Education:

- (1) \$84,000 for the expansion of civic education in public schools; and
- (2) \$100,000 to hire one full-time equivalent permanent civic education resource teacher position.

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. 2494, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2494, 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. 417-22 Education on H.B. No. 1559**

The purpose of this measure is to establish and appropriate funds for a career development success program to provide financial incentives for participating public high schools and charter schools to encourage students enrolled in grades nine through twelve to enroll in and successfully complete qualified industry-credential programs.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Hawaii KidsCAN, Chamber of Commerce Hawaii, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

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. This measure will establish a career development success program to incentivize high school students to enroll in and successfully complete qualified industry-credential programs and better prepare them for joining Hawaii's workforce.

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 H.B. No. 1559, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1559, 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. 418-22 Education on H.B. No. 1561**

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

- (1) An adult workforce readiness program; and
- (2) Two full-time equivalent adult workforce readiness program coordinators.

Your Committee received testimony in support of this measure from the Department of Education, McKinley Community School for Adults, State Council on Developmental Disabilities, Quad D Solutions, Chamber of Commerce Hawaii, Hawaii State Teachers Association, Society of Human Resource Management Hawaii, and numerous individuals. Your Committee received testimony in support of the intent of this measure from the University of Hawaii System. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State's high school students and adult education students would benefit from a work readiness preparation program that provides a close collaboration between educators and industry employers to ensure students develop the skills and credentials needed to make them highly employable. This measure establishes a workforce readiness program to allow students, including students at adult and community schools, to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates.

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. 1561, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1561, 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. 419-22 Education on H.B. No. 1699**

The purpose of this measure is to appropriate funds for the resources for enrichment, athletics, culture, and health program of the Department of Education to match the federal dollars that the State receives for the 21st Century Community Learning Center.

Your Committee received testimony in support of this measure from the University of Hawaii at Manoa, College of Education; Department of Education; Department of Human Services; Hawai'i Afterschool Alliance; Hui for Excellence in Education; Hawai'i Association of School Psychologists; American Academy of Pediatrics, Hawaii Chapter; Hawaii Children's Action Network Speaks!; After-School All-Stars Hawaii; Parents and Children Together; Hawaii Youth Services Network; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that after-school programming provides important learning and enrichment opportunities for Hawaii's youth while allowing parents to maintain employment. After-school programs are particularly needed for middle and intermediate school students, as the intermediate years are important for reversing high school drop-out rates and ensuring students remain engaged in their education and community.

Your Committee further finds that The R.E.A.C.H. initiative, which stands for "resources for enrichment, athletics, culture, and health", was established in 2013 to provide dedicated after-school programs for public middle and intermediate school students using a community-based approach. This measure appropriates funds for the R.E.A.C.H. program to promote youth and children's growth and development through after-school programs.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount; and
- (2) Changing its effective date to July 1, 2050.

Should your Committee on Finance decide to deliberate on this measure, your Committee respectfully requests that it appropriate \$6,123,398 to the Department of Education for the Department's resources for enrichment, athletics, culture, and health program to match the federal dollars that the State receives for the 21st Century Community Learning Center.

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. 1699, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1699, 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. 420-22 Education on H.B. No. 811**

The purpose of this measure is to allow home-schooled, high school-age students to participate as unattached competitors in individual sports available to the public school that the student would otherwise be required to attend.

Your Committee received testimony in support of this measure from seventeen individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that home-schooled students are part of the diverse fabric that make up Hawaii's educational system. Your Committee further finds that under existing Hawaii law, home-schooled students do not have the right to participate in public school activities, including sports. Your Committee notes the concerns raised by the Department of Education but believes that further consideration may be warranted.

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 H.B. No. 811, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 811, 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. 421-22 Education on H.B. No. 2427**

The purpose of this measure is to:

- (1) Designate existing interscholastic sports recognized by the Department of Education as co-curricular activities; and

- (2) Require the Department of Education to study and estimate the cost of implementing sports as co-curricular activities and report to the Legislature on its findings and recommendations.

Your Committee received testimony in support of this measure from seventeen individuals. Your Committee received testimony in opposition to this measure from the Hawaii High School Athletic Association. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that students who participate in interscholastic athletic activities experience a variety of benefits, including increased academic success, improved physical health, and improved leadership and teamwork abilities. This measure recognizes the importance of interscholastic sports by designating existing interscholastic sports as co-curricular activities, thereby considering the interscholastic sports as essential within the Department of Education.

Your Committee has amended this measure by:

- (1) Clarifying that any sport recognized by the Department of Education shall be considered a co-curricular activity, including but not limited to air riflery, baseball, basketball, bowling, canoe paddling, cheerleading, cross country running, diving, football, golf, judo, soccer, soft tennis, softball, surfing, swimming, tennis, track and field, volleyball, water polo, and wrestling;
- (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. 2427, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2427, 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 (Kapela, Belatti, Okimoto). Noes, none. Excused, none.

#### **SCRep. 422-22 Education on H.B. No. 2277**

The purpose of this measure is to appropriate funds to the Department of Education for the promotion and support of surfing as an interscholastic sport.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that surfing is of significant cultural, social, and economic value to the people of Hawaii, as well as the many visitors who travel to Hawaii for surfing. Your Committee especially recognizes the extraordinary accomplishments of Carissa Moore, a Palolo resident who won the gold medal in the first ever women's surfing competition in the Summer Olympic Games, and the many other Hawaii surfers who have dedicated themselves to honoring and preserving the sport and spirit of surfing in Hawaii.

Your Committee notes that since surfing was sanctioned by the Department of Education in 2004, only one of five local athletic leagues have sponsored it. This measure appropriates funds to promote and support surfing as an interscholastic sport to provide opportunities for students to pursue competitive surfing in the future.

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. 2277, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2277, 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. 423-22 Education on H.B. No. 438**

The purpose of this measure is to require the Department of Education to:

- (1) Develop a plan, in consultation with the Board of Education, to reduce the use of external contracts for curricula, instruction, and testing for public schools;
- (2) Convene an advisory committee to assist the Department in developing and implementing the plan; and
- (3) Submit an interim report, with a list of advisory committee members, findings, recommendations and a timeline for completion of the plan, and a final report that shall include the plan to the Legislature.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Education Caucus, Hawaii State Teachers Association, and two individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that during the COVID-19 pandemic, the Department of Education used the Acellus Learning Accelerator to facilitate virtual learning for students who were forced to adapt to remote learning environments. Your Committee further finds that numerous teachers, parents, and community members reported that components of the Acellus Learning Accelerator curriculum contained content that is biased against racial, sexual, and gender minorities and reflect an inaccurate, incomplete, or prejudicial view of historical events. These concerns led the Board of Education to unanimously vote in October 2020 to phase out Acellus Learning Accelerator by the end of the 2020-2021 school year. This measure will ensure that the use of external contracts for curricula, instruction, and testing for public schools will be reduced in the future to ensure the integrity, cultural appropriateness, and quality of educational programming for Hawaii's students.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education to submit its interim report to the Legislature to December 31, 2023;
- (2) Requiring the Department of Education to submit its final report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024; and
- (3) 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. 438, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 438, 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 (Okimoto). Noes, none. Excused, 1 (Clark).

**SCRep. 424-22 Education on H.B. No. 2249**

The purpose of this measure is to:

- (1) Require the Department of Education and State Public Charter School Commission to provide hygiene products that support public health, including toilet paper, menstrual products, and hand soap, free of charge to all students on public and charter school campuses; and
- (2) Appropriate funds for the hygiene products.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Department of Human Services, Hawaii State Commission on the Status of Women, State Council on Developmental Disabilities, Stonewall Caucus of the Democratic Party of Hawaii, Hawaii Youth Services Network, Common Cause Hawaii, 'Ilima Intermediate Activist Club, Hawaii Health & Harm Reduction Center, Breastfeeding Hawaii, American Association of University Women of Hawaii, Hawaii Section of the American College of Obstetricians and Gynecologists, Democratic Party of Hawaii Education Caucus, Ma'i Movement Hawaii, Hawaii Women's Coalition, Community Alliance on Prisons, Waianae Coast Comprehensive Health Center, Hawaii State Teachers Association, Hawaii State Democratic Women's Caucus, Hawaii Children's Action Network Speaks!, Soroptimist International of Central Oahu, Alliance for Period Supplies, Hawaii Women Lawyers, Papa Ola Lōkahi, Kōkua Kalihi Valley Comprehensive Family Services, Parents and Children Together, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the lack of access to menstrual products in schools limits full participation in school, contributes to higher rates of school absenteeism and missed activities, and perpetuates gender and class inequities. Your Committee further finds that lack of adequate quality menstrual products leads to extended use of products beyond the recommended time or use of alternatives, which has a direct and negative impact on student health. This measure will promote menstrual equity by providing all necessary hygiene products, including menstrual products, to all students, free of charge, on all public and charter school campuses.

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. 2249, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2249, 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. 425-22 Education on H.B. No. 1940**

The purpose of this measure is to:

- (1) Establish and appropriate funds for an Early Child Care Worker Subsidy Pilot Program; and
- (2) Appropriate funds to the Hawaii Early Childhood Educator Special Fund.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, Rainbow Family 808, American Association of University Women of Hawaii, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy, Aloha United Way, and fourteen 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 Budget and Finance.

Your Committee finds that a strong early child care and education workforce is necessary to support Hawaii's children, working families, and communities. Your Committee further finds that the demand for quality early child care and education far exceeds what is currently available. This measure establishes the Early Child Care Worker Subsidy Pilot Program to increase the compensation for early child care workers and help boost recruitment for and retention of a qualified early learning workforce.

Your Committee has amended this measure by:

- (1) Changing the minimum pay from \$17.00 per hour to \$18.00 that the Department of Human Services shall provide to all early childhood educators;
- (2) Clarifying that funds shall be appropriated to the Early Learning Special Fund, rather than the Hawaii Early Childhood Educator Special 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. 1940, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1940, 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 (Clark).

**SCRep. 426-22 Health, Human Services, & Homelessness on H.B. No. 1576**

The purpose of this measure is to establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission within the Department of Human Services.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Civil Rights Commission, Hawaii Health & Harm Reduction Center, Rainbow Family 808, Common Cause Hawaii, and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that many in the lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) community are vulnerable, often discriminated against, and have needs that are unknown or overlooked. Therefore, establishing a commission to identify and address the risks and challenges faced by the LGBTQ+ community would be instrumental in supporting equity for this community.

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. 1576, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1576, 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, 1 (Ward).

#### **SCRep. 427-22 Health, Human Services, & Homelessness on H.B. No. 1891**

The purpose of this measure is to adopt the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Legislation. Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Association for Justice.

Your Committee finds that this uniform act was developed by the National Conference of Commissioners on Uniform State Laws with input from judges and practicing lawyers from the United States and Canada. To date, this act has been adopted in California, Delaware, Minnesota, Nevada, North Dakota, Washington, and Wisconsin. This measure provides for State recognition and enforcement of a valid order of protection obtained in a court of Canada.

Your Committee has amended this measure by:

- (1) Clarifying that a person who violates a valid Canadian domestic-violence protection order is subject to penalties under Hawaii law;
- (2) Making a conforming amendment that clarifies that foreign protective orders from a court or tribunal of Canada are recognized and enforced as if it were an order issued in Hawaii;
- (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. 1891, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1891, 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, 1 (Ward).

#### **SCRep. 428-22 Health, Human Services, & Homelessness on H.B. No. 1824**

The purpose of this measure is to establish and fund five long-term care ombudsman program specialist positions within the Office of the Long-Term Care Ombudsman.

Your Committee received testimony in support of this measure from the State Long-Term Care Ombudsman, Hawaii County Office of Aging, Kokua Council, AARP Hawai'i, and fourteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Executive Office on Aging.

Your Committee finds that the State Long-Term Care Ombudsman's responsibility is to be an advocate for anyone in the State living in a nursing home assisted living facility, expanded or regular adult residential care home, or community care foster family home. However, your Committee also finds that Hawaii is the only state with a Long-Term Care Ombudsman program with a staff of one. Although some services are provided by thirteen certified ombudsman volunteers, the Long-Term Care Ombudsman program lacks the staff to meet the federal minimum requirement of visiting each facility on a quarterly basis, let alone provide additional services such as facilitating resident and family councils and providing community education. This measure addresses the program's lack of resources by appropriating funds for additional permanent staff positions.

Your Committee has amended this measure by:

- (1) Deleting the preamble;
- (2) Changing the appropriation to an unspecified amount;
- (3) Changing the full-time equivalent positions to an unspecified position count;
- (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. 1824, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1824, 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, 1 (Ward).

#### **SCRep. 429-22 Health, Human Services, & Homelessness on H.B. No. 1578**

The purpose of this measure is to authorize the Department of Health to approve, under certain conditions, in-vehicle receipt of medical cannabis and manufactured cannabis products on or near the premises of medical cannabis dispensaries.

Your Committee received testimony in support of this measure from the Department of Health, Maui Grown Therapies, Marijuana Policy Project, Hawaiian Ethos LLC, and one individual. Your Committee received testimony in opposition to this measure from the Department of Public Safety. Your Committee received comments on this measure from Akamai Cannabis Clinic.

Your Committee finds that the COVID-19 pandemic has severely impacted the way in which qualifying patients can safely access the facilities that provide medical cannabis. Your Committee further finds that patients qualified to use medical cannabis often suffer from debilitating conditions that make them especially vulnerable to exposure to COVID-19. This measure provides qualifying patients with a safe alternative for flexible access to facilities that provide medical cannabis and manufactured cannabis products while minimizing their exposure to COVID-19.

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. 1578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1578, 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, none.

#### **SCRep. 430-22 Health, Human Services, & Homelessness on H.B. No. 1798**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist The Queen's Health Systems with the construction of, improvement to, and equipping of its health care facilities.

Your Committee received testimony in support of this measure from The Queen's Health Systems. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that The Queen's Health Systems is embarking on a multi-year redevelopment and expansion of the Queen's West Oahu and Punchbowl campuses in order to meet the changing and critical health care needs of the community. The COVID-19 pandemic in particular has highlighted the need for Queen's to modernize its facilities. Your Committee further finds that authorizing the issuance of special purpose revenue bonds to assist The Queen's Health Systems with financing for construction of and improvements to The Queen's Health Systems' health care facilities is in the best interest of public health.

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. 1798, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1798, 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, none.

#### **SCRep. 431-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on H.B. No. 2274**

The purpose of this measure is to:

- (1) Prohibit the Department of Health from issuing new permits for underground fuel storage tanks within one-half mile of an aquifer;
- (2) Prohibit the renewal of permits for underground fuel storage tanks within one-half mile of an aquifer beginning January 1, 2050; and
- (3) Create a new definition for "underground fuel storage tanks", to include tanks with a capacity at or greater than one hundred gallons.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Honolulu Board of Water Supply, Sierra Club of Hawai'i, Surfrider Foundation Hawai'i Region, Hawaii Children's Action Network Speaks!, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Public Health Institute, Faith Action for Community Equity Environmental Justice Task Force, 'Ahahui o na Kauka – Association of Native Hawaiian Physicians, 350Hawaii.org, Americans for Democratic Action, Hawai'i Alliance for Progressive Action, Hawai'i Alliance for Community-Based Economic Development, Wai Ola Alliance, Ko'olau Waialua Alliance, Council for Native Hawaiian Advancement, and numerous individuals. Your Committees received comments on this measure from the Department of Health, Department of Transportation, Office of Planning and Sustainable Development, Hawaii Petroleum Marketers Association, Hawaii Military Affairs Council, and two individuals.

Your Committees find that the purity and safety of the State's fresh water is in jeopardy of contamination from fuel leaking from underground fuel storage tanks. Your Committees further find that prohibiting the installation or continuance of large capacity underground fuel storage tanks near aquifers will mitigate the risk of leaked fuel contaminating the State's freshwater resources.

Your Committees have heard the concerns raised in testimony that this measure, as written, would have unintended consequences, including forcing the shutdown of every gas station in the State and impacting the fuel storage for emergency generators at hospitals and other critical locations. Amendments to this measure are therefore necessary to address these concerns, while still ensuring that the State's drinking water resources are protected.

Your Committees have amended this measure by:

- (1) Prohibiting the Department of Health from issuing permits for new large capacity underground storage tank systems located mauka of the applicable underground injection control line, except where the permit is to repair or replace an existing underground storage tank;
- (2) Prohibiting the operation of and renewal of permits for all large capacity underground storage tank systems located mauka of the applicable underground injection control line after January 1, 2045;
- (3) Inserting definitions for "large capacity underground storage tank system", "mauka", and "underground injection control line";
- (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 records of votes of the members of your Committees on Health, Human Services, & Homelessness and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2274, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2274, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 8. Noes, none. Excused, none.

#### **SCRep. 432-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on H.B. No. 2514**

The purpose of this measure is to require the Department of Health to adopt as a standard that the maximum capacity for an underground storage tank shall not exceed one hundred thousand gallons.

Your Committees received testimony in support of this measure from the Sierra Club of Hawai'i, Surfrider Foundation, 350Hawaii.org, Faith Action for Community Equity, Environmental Justice Task Force, Hawaii Children's Action Network Speaks!, Environmental Caucus of the Democratic Party of Hawai'i, Livable Hawaii Kai Hui, Hawai'i Alliance for Progressive Action, Hawai'i AcroFest LLC, Council for Native Hawaiian Advancement, Ko'olau Waialua Alliance, Wai Ola Alliance, and numerous individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Health, Office of Planning and Sustainable Development, and Honolulu Board of Water Supply.

Your Committees find that there is a risk that underground storage tanks containing hazardous materials will leak and contaminate the surrounding area and possibly any underlying aquifer. Your Committees further find that larger capacity underground storage tanks present a higher potential for large leakage events.

Your Committees note that this measure proposes to amend section 342L-32, Hawaii Revised Statutes (HRS), which provides the foundational standards for all underground storage tanks and tank system standards. As this measure is specifically intended to limit the maximum size of underground storage tanks, your Committees believe that establishing this language in a new section under Chapter 342L, HRS, may be more appropriate.

Accordingly, your Committees have amended this measure by:

- (1) Prohibiting the operation of underground storage tanks with a capacity greater than one hundred thousand gallons, after an unspecified date, rather than requiring the Department of Health to adopt a standard that all underground storage tanks not exceed a maximum capacity of one hundred thousand gallons; 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 Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2514, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2514, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Gates).

Energy & Environmental Protection: Ayes, 8. Noes, none. Excused, none.

#### **SCRep. 433-22 Agriculture on H.B. No. 1710**

The purpose of this measure is to appropriate funds for maintenance and improvements to the Peekauai Ditch Irrigation System located on Kauai.

Your Committee received testimony in support of this measure from the Ulupono Initiative; Hawai'i Farm Bureau; Local Food Coalition; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council; Kaua'i Chamber; Larry Jeffs Farms, LLC; Kekaha Agriculture Association; and thirteen individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that Peekauai Ditch Irrigation System, also known as the Menehune Ditch, is run by local farmers on Kauai. Funding for the Peekauai Ditch Irrigation System will support irrigation projects that supply water to diversified agricultural operations, farmers, and taro growers who depend on this irrigation system for their operations.

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. 1710, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1710, 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 (Tokioka).

#### **SCRep. 434-22 Agriculture on H.B. No. 1715**

The purpose of this measure is to limit civil and criminal liability for persons who remove from motor vehicles unattended animals that are in physical danger; provided the actions are reasonable, in good faith, and in accordance with other requirements.

Your Committee received testimony in support of this measure from The Humane Society of the United States, Domestic Violence Hurts Animals and People, Big Island Pet Detectives, and ten individuals. Your Committee received testimony in opposition to this measure from the Hawaii Insurers Council and two individuals. Your Committee received comments on this measure from the Hawaiian Humane Society, American Kennel Club, and two individuals.

Your Committee finds that animals left unattended in motor vehicles may be subject to heat, cold, lack of adequate ventilation, lack of food or water, or other circumstances that could cause suffering, disability, or death to the animal. Your Committee finds that this measure is intended to prevent injury, harm, or death to animals.

Your Committee has amended this measure by:

- (1) Requiring a person who observes an animal left unattended in a motor vehicle and determines that the unattended animal is in physical danger to first contact county emergency services or an organization contracted by a county for animal control and wait a reasonable time for a response before using whatever means are reasonably necessary to protect the animal and remove it from the motor vehicle;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1715, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1715, 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 (Tokioka). Noes, none. Excused, none.

#### **SCRep. 435-22 Agriculture on H.B. No. 1742**

The purpose of this measure is to amend the composition of the Board of Agriculture by providing representation from the islands of Lanai and Molokai.

Your Committee received testimony in support of this measure from the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources, one member of the Maui County Council, Molokai Farm Bureau, Hawai'i Farm Bureau, and four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that representation on the Board of Agriculture from residents of all islands provides desired diversity and statewide representation of knowledge and perspectives in decision making and policymaking. A geographically diverse Board of Agriculture membership will also enable the Board to better address the complex needs of each island's agricultural community and the broader needs of agriculture in the State.

Your Committee has amended this measure by:

- (1) Adding one member to the Board of Agriculture who shall be a resident of the island of Oahu;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1742, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1742, 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 (Tokioka).

#### **SCRep. 436-22     Agriculture on H.B. No. 2062**

The purpose of this measure is to establish the Agricultural Emergency Loan Revolving Fund, to be administered by the Department of Agriculture, to fund class D emergency loans.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Ulupono Initiative, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Emergency Loan Program serves as a safety net to farms and ranches during times of emergency. According to testimony provided by the Department of Agriculture, due to tight funding supply, the Emergency Loan Program has not been able to reserve any funds specifically for emergency loans. The Agricultural Emergency Loan Revolving Fund proposed in this measure would serve as a dedicated source of funding for agricultural emergencies including natural disasters, production and pest blights, and economic disasters.

Your Committee has amended this measure by:

- (1) Changing the appropriations 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.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating \$2,500,000 for deposit into and appropriation out of the Agricultural Emergency Loan Revolving 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. 2062, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2062, 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 (Tokioka).

#### **SCRep. 437-22     Agriculture on H.B. No. 2280**

The purpose of this measure is to prohibit planned community associations from prohibiting or unreasonably restricting the use of a unit owner's enclosed yard for personal agriculture.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Community Associations Institute Legislative Action Committee and one individual.

Your Committee finds that providing latitude to unit owners of planned community associations to use their enclosed yards for personal agriculture can promote good health, improve the local environment, and improve neighborhood spaces.

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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2280, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2280, 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. 438-22     Agriculture on H.B. No. 2418**

The purpose of this measure is to amend the focus, scope, and management of the Agribusiness Development Corporation to reflect the current state of agriculture in Hawaii and focus on statewide needs for export and consumption of local agricultural products.

Your Committee received testimony in support of this measure from Earthjustice, Hawai'i SEED, IslandBreathe.org, and fourteen individuals. Your Committee received comments on this measure from the Department of Agriculture; Department of Budget and Finance; Agribusiness Development Corporation; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Hawai'i Food+ Policy; We Are One, Inc.; and eleven individuals.

Your Committee finds that environmental, technological, and other global changes have opened doors to new opportunities for agricultural growth and development while necessitating certain policy, operational, and organizational changes to optimize growth and development of the State's agriculture industry. Your Committee finds that the composition of the members who serve on the Agribusiness Development Corporation Board of Directors is critical to sound leadership and governance, understanding the agriculture industry and its needs, and setting the direction of agribusiness in the State.

Your Committee has amended this measure by:



- (1) Repealing section 163D-8.5, Hawaii Revised Statutes, which requires that all agricultural projects, agricultural development plans, and project facility programs developed by the Agribusiness Development Corporation be approved by the Board of Agriculture before implementation;
- (2) Not specifically requiring that a certain number of Agribusiness Development Corporation Board members that must have substantial experience in local food production and organic and natural farming practices and demonstrated expertise in Native Hawaiian traditional and customary agricultural practices;
- (3) Adding certain benchmarks or objectives that must be included among the objectives and measurable outcomes of the Hawaii Agribusiness Plan goals;
- (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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2418, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2418, 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 (Matayoshi, Tokioka).

#### **SCRep. 439-22     Agriculture on H.B. No. 2431**

The purpose of this measure is to establish the Sustainable Food Systems Working Group within the Office of Planning and Sustainable Development to develop a plan for a more sustainable, resilient local food economy that enhances and sustains the environmental, economic, and social health of the community.

Your Committee received testimony in support of this measure from the Hawaii Foodbank, Hawaii Foodservice Alliance LLC, Hawaii Cattlemen's Council, North Shore Economic Vitality Partnership, 'Ai Pohaku, Art Farm, Hawaii Farm Bureau, and eleven 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, Office of Planning and Sustainable Development, Hawaii Farmers Union United, Hawaii Food Industry Association, and Center for Getting Things Started.

Your Committee finds that sustainable food systems work to promote and sustain the environmental, economic, and social health and well-being of individuals and communities. Your Committee recognizes that the convening of key stakeholders across multiple sectors in the Sustainable Food Systems Working Group will support and further efforts to establish a more robust, sustainable, and resilient food system that considers the health, social, and environmental impacts of food production, distribution, and consumption in the State.

Your Committee has amended this measure by:

- (1) Increasing the membership of the Sustainable Food Systems Working Group to include a representative of the Department of Agriculture; four representatives of the agricultural sector, of which each member shall represent one of the counties; and a representative of the Hawaii Food Industry Association;
- (2) Extending the deadline for submittal of the Sustainable Food Systems Working Group's plan to the Legislature by one year;
- (3) Changing the end date of the Dissolving the Sustainable Food Systems Working Group to December 31, 2023;
- (4) Appropriating funds for the purposes of the Sustainable Food Systems Working Group and for one full-time equivalent Sustainability Specialist position in the Office of Planning and Sustainable Development, Statewide Sustainability Branch;
- (5) Changing the effective date to July 1, 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2431, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2431, 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. 440-22     Agriculture/Economic Development on H.B. No. 1499**

The purpose of this measure is to require the Department of Agriculture to partner with a Hawaii entity to establish a Pilot United States Department of Agriculture Harmonized Good Agricultural Practices Food Safety Training and Certification Program to assist small- and medium-sized farms in obtaining the United States Department of Agriculture Harmonized Good Agricultural Practices certification.

Your Committees received testimony in support of this measure from the North Shore Economic Vitality Partnership; Hawaii Food Industry Association; Ulupono Initiative; Hawai'i Farm Bureau; HT Hayashi Foundation; Hawaii Foodservice Alliance; Hawaii Fish Company; Malama Kaua'i; Y. Hata & Co., Limited; Lanakila Pacific; HIP Agriculture; and seven individuals. Your Committees received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committees find that compliance with food safety regulations and the increasing demand for locally grown food in commercial and institutional markets provide an opportunity for small- and medium-sized farms to expand production to meet market conditions. Your Committees also find that food safety certification of farms in the State is a critical first step toward compliance with the 2011 Food Safety Modernization Act and market acceptance of locally grown food, which can lead to increased market access and opportunities to increase local food production. The State's farmers would benefit from direct training and technical assistance to successfully implement food safety practices and obtain the United States Department of Agriculture Harmonized Good Agricultural Practices certification.

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 Agriculture and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1499, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1499, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Agriculture: Ayes, 7. Noes, none. Excused, 1 (Tokioka).  
 Economic Development: Ayes, 7. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 441-22 Agriculture/Economic Development on H.B. No. 1812**

The purpose of this measure is to clarify that the Natural Energy Laboratory of Hawaii Authority's duties include supporting aquaculture.

Your Committees received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Hawaii Aquaculture & Aquaponics Association, and Natural Energy Laboratory of Hawaii Authority.

Your Committees find that the Natural Energy Laboratory of Hawaii Authority (NELHA) currently manages aquaculture tenants and supports aquaculture industry development. This measure adds specific language in statute that NELHA's duties include supporting the research, development, and commercialization of aquaculture, thereby clarifying the explicit relationship between aquaculture and NELHA and affirming NELHA's duties to support the State's aquaculture industry.

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 Agriculture and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1812, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1812, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Agriculture: Ayes, 7. Noes, none. Excused, 1 (Tokioka).  
 Economic Development: Ayes, 7. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 442-22 Judiciary & Hawaiian Affairs on H.B. No. 2246**

The purpose of this measure is to amend the State Highway Enforcement Program surcharge from \$200 to an unspecified amount.

Your Committee received testimony in support of this measure from the Department of Transportation and one member of the Maui County Council. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State is experiencing an increase in the number of vehicles on the State's roads. According to federal crash statistics, roughly five hundred sixty-six deaths and 14,731 injuries occur annually involving a stopped or disabled vehicle on a roadway. Your Committee believes that increasing the surcharge for those willfully creating unsafe conditions for others on the State's roads could reduce deaths and injuries relating to an individual stopping, standing, or parking a vehicle on state highways.

As 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. 2246, 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 (LoPresti).

**SCRep. 443-22 Judiciary & Hawaiian Affairs on H.B. No. 2218**

The purpose of this measure is to designate the reef runway at the Daniel K. Inouye International Airport as the Frank T. Okimoto Reef Runway.

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

Your Committee finds that the reef runway was constructed on coral reef adjacent to the Daniel K. Inouye International Airport in 1977 to alleviate aircraft noise patterns over Honolulu and the surrounding areas. The project engineer for the reef runway was the late Frank T. Okimoto, who served as an airports civil engineer from 1967 until his untimely passing in 1978.

The engineering achievements of the reef runway earned the project two awards: one of the Ten Outstanding Engineering Achievements Awards in the United States in 1977, and the Aviation Environment Award from the Federal Aviation Administration, which had only been awarded once before. Your Committee believes that designating the reef runway as the Frank T. Okimoto Reef Runway is an appropriate tribute to Frank T. Okimoto.

As 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. 2218 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 (LoPresti).

**SCRep. 444-22 Judiciary & Hawaiian Affairs on H.B. No. 1691**

The purpose of this measure is to:

- (1) Lower the minimum age required for an intrastate commercial driver's license to eighteen years;
- (2) Eliminate the requirements that certain persons be solely licensed to operate category 3 vehicles and that persons have certain certifications in order to be licensed as intrastate commercial drivers or obtain a learner's permit; and
- (3) Require the Department of Transportation to adopt or amend its administrative rules to lower the minimum age required for a commercial driver's license to eighteen years.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Transportation Association, and Hawaii Food Industry Association.

Your Committee finds that Hawaii is the only state that does not allow people who are eighteen years of age to operate category 4 vehicles and commercial motor vehicles in intrastate commerce. This measure allows for the State to address commercial driver shortages by participating in the Federal Motor Carrier Safety Administration program that trains people who are at least eighteen years of age and who are already licensed to drive commercial motor vehicles in intrastate commerce to also drive in interstate commerce.

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. 1691, 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. 1691, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 1 (LoPresti).

#### **SCRep. 445-22 Judiciary & Hawaiian Affairs on H.B. No. 1917**

The purpose of this measure is to remove the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing, or issue a new, ground lease for the Front Street Apartments affordable housing project in Lahaina, Maui, before the initiation of condemnation proceedings.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and the one member of the Maui County Council.

Your Committee finds that there is a severe shortage of affordable rental housing in the County of Maui, particularly in the western part of the island. To address this shortage, the Legislature passed acts in 2018 and 2019 to support the Front Street Apartments in Lahaina, Maui, and preserve their affordability. The Hawaii Housing Finance and Development Corporation has since acquired the leased fee interest in the Front Street Apartments and was required by the Legislature to initiate condemnation proceedings unless it renegotiated the ground lease for the Front Street Apartments project or issued a new ground lease on terms acceptable to the Hawaii Housing Finance and Development Corporation by December 31, 2021. However, due to a federal lawsuit, the Hawaii Housing Finance and Development Corporation was unable to obtain an accurate appraisal of the fair market value of the ground lease for the property for purposes of condemnation or negotiating a ground lease agreement. Therefore, removing the December 31, 2021, deadline and applying it retroactively is 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. 1917 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 (LoPresti).

#### **SCRep. 446-22 Judiciary & Hawaiian Affairs on H.B. No. 2347**

The purpose of this measure is to provide funding for the development of a master plan to address the current and future needs of the Hawaii State Archives.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii State Archives.

Your Committee finds that the Hawaii State Archives was designed and constructed seventy years ago. Based on current archival practices and public access needs, the Hawaii State Archives is in immediate need of updating its facility to accommodate the storage, maintenance, and security needs of the State's public records. These records include records dating from the time period of Hawaii's monarchy to the current legislative session, papers of individuals and organizations, photographs, maps, artifacts, and rare books. Your Committee further finds that the development of a master plan for the Hawaii State Archives, as provided in this measure, would initiate further action to safeguard and preserve the State's vital historical documents and records.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests it consider authorizing the issuance of general obligation bonds in the sum of \$1,000,000 and appropriating the same amount for fiscal year 2022-2023 for the development of a master plan to address current and future needs of the Hawaii State Archives.

As 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. 2347, 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 (LoPresti, McKelvey).

#### **SCRep. 447-22 Judiciary & Hawaiian Affairs on H.B. No. 2015**

The purpose of this measure is to establish an institute within the William S. Richardson School of Law to be known as Hookaulike: A Criminal Legal System Institute for Restoration and Healing (Hookaulike).

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, William S. Richardson School of Law at the University of Hawai'i at Mānoa, Hawai'i inūiākea School of Hawaiian Knowledge at the University of Hawai'i at Mānoa, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hookaulike would help to address the overrepresentation of Native Hawaiians, Pacific Islanders, and other communities of color in the State's correctional system. The goal is to create an inclusive and fair criminal legal system devoted to restoration and healing.

Your Committee respectfully requests that as this measure continues through the legislative process, its proponents and other stakeholders work together to determine whether Hookaulike is most appropriately placed within the William S. Richardson School of Law at the University of Hawai'i at Mānoa.

As 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. 2015, 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 (LoPresti).

#### **SCRep. 448-22 Judiciary & Hawaiian Affairs on H.B. No. 1775**

The purpose of this measure is to:

- (1) Define the scope and application of Hawaii's laws prohibiting discrimination in state educational programs and activities and set forth requirements with which entities that have state education programs or activities, or that receive state funding for educational programs or activities, must comply; and
- (2) Require annual reporting to the Legislature on the number and types of discrimination cases received by the University of Hawaii, Department of Education, and public charter schools, and other relevant information.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Civil Rights Commission, State Public Charter School Commission, Stonewall Caucus of the Democratic Party of Hawai'i, American Association of University of Women of Hawaii, Hawaii Women's Coalition, Women's Caucus of the Democratic Party of Hawai'i, Hawai'i Women Lawyers, Save Medicaid Hawaii, Hawai'i Children's Action Network Speaks!, and twelve individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Education.

Your Committee finds that ensuring the prohibition of discrimination on the basis of sex, including gender identity or expression, or sexual orientation, is a matter of statewide concern. This measure seeks to preserve and enhance the legacy of the Patsy Takemoto Mink Equal Opportunity in Education Act, otherwise known as Title IX of the Education Amendments of 1972.

Your Committee has amended this measure by:

- (1) Deleting language that would have applied the State's laws prohibiting discrimination in state educational programs and activities to the conduct of all students and employees of a covered educational program or activity and third parties;
- (2) Deleting the definitions of "consent", "dating violence", "domestic violence", "gender-based harassment", "incapacitated" or "incapacitation", "retaliation", "sex discrimination", "sexual assault", "sexual contact", "sexual exploitation", "sexual harassment", and "stalking";
- (3) Amending the required content for the annual reports to the Legislature;
- (4) Clarifying that the Public Charter School Commission, instead of each public charter school, is required to submit an annual report to the Legislature;
- (5) Clarifying that the State's laws prohibiting discrimination in state educational programs and activities do not preclude an individual participating in any educational program or activity who is aggrieved by a violation of those laws from filing a civil action in a court of competent jurisdiction;
- (6) Deleting language that would have prohibited certain types of conduct under any covered educational program or activity and all related language;
- (7) Establishing two senior advisor positions and one junior advisor position within the University of Hawaii System;
- (8) Inserting a blank appropriation to the Department of Education to carry out the purposes of this measure; 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 H.B. No. 1775, 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. 1775, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 449-22 Judiciary & Hawaiian Affairs on H.B. No. 1670**

The purpose of this measure is to establish a Boundary Review Committee within the Land Use Commission to promptly and efficiently resolve boundary disputes brought before the Land Use Commission.

Your Committee received testimony in support of this measure from the Land Use Commission.

Your Committee finds that this measure will streamline government processes by providing the public with a less cost prohibitive and more efficient process for resolving boundary determinations that are not associated with any planning or public policy issues.

As 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. 1670, 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 (McKelvey). Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 450-22 Judiciary & Hawaiian Affairs on H.B. No. 1789**

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 a process for appointing the representative.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Fire Fighters Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and State of Hawaii Organization of Police Officers. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining and one individual. Your Committee received comments on this measure from the Hawai'i 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 ensures greater fairness, predictability, and transparency in the appointment process.

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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1789, 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. 1789, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 451-22 Judiciary & Hawaiian Affairs on H.B. No. 2288**

The purpose of this measure is to transfer the parcel of land designated as TMK (1) 3-2-030-002-0000-000 to the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Council for Native Hawaiian Advancement, Kupuna for the Mo'opuna, and one individual. Your Committee received testimony in opposition to this measure from the University of Hawai'i and one individual. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there is a large number of applicants seeking homesteads on Oahu where there is a land shortage. The transfer of land identified in this measure will enable the Department of Hawaiian Home Lands to award homesteads to its Oahu applicants.

Your Committee has amended this measure by deleting language that stated that the transfer involved the real property located at 560 Makapuu Avenue, Honolulu, Hawaii 96816.

As 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. 2288, 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. 2288, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 452-22 Judiciary & Hawaiian Affairs on H.B. No. 1208**

The purpose of this measure is to propose an amendment to the Hawaii State Constitution to repeal the exclusive authority of the counties to exercise the functions, powers, and duties of real property taxation, thereby authorizing the State to also exercise those functions, powers, and duties.

Your Committee received testimony in support of this measure from the Hawai'i Appleseed Center for Law and Economic Justice. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS, Hawai'i Lodging & Tourism Association, Maui Chamber of Commerce, and two individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that Hawaii has the second highest income tax rates and the lowest real property tax rates in the nation. This tax structure results in the overall tax burden being placed on the residential workforce, while effectively subsidizing non-residents' real estate investments in Hawaii. Removing the counties exclusive authority to determine real property taxes will provide the State with greater flexibility and control over its taxation policies.

Your Committee further finds that the intention of this measure is to enable the Legislature to eliminate personal and business income taxes and offset these tax revenue sources with real property taxes. The long-term intention of allowing the State to exercise control over property taxes is to double the homeowner and senior exemptions on real property taxes to lessen the overall tax burden on local residents. If this measure is enacted and the amendment to the Hawaii State Constitution is ratified, House Bill No. 1209, House Draft 2, Regular Session of 2022, upon its enactment and the enactment of state law specifying the real property tax amounts to be levied and assessed, will take effect and the State will stop collecting all income taxes.

Your Committee has amended this measure by:

- (1) Clarifying the intention of the measure and constitutional question to be placed on the ballot; and
- (2) Making technical, 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. 1208, 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. 1208, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Takumi). Noes, 2 (Tokioka, Ward). Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 453-22 Judiciary & Hawaiian Affairs on H.B. No. 124**

The purpose of this measure is to require the Chief Election Officer to develop and distribute a voter information guide for all candidates running for state office, including trustee candidates of the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Green Party of Hawai'i, Community Alliance on Prisons, Common Cause Hawaii, Americans for Democratic Action Hawai'i, Young Progressives Demanding Action, and twelve individuals. Your Committee received comments on this measure from the Office of Elections.

Your Committee finds that several other states publish official voter guides. This measure would promote a more informed electorate and may increase voter participation.

Your Committee has amended this measure by:

- (1) Inserting a blank appropriation amount for the Office of Elections to develop and distribute the voter information guide;
- (2) Changing the effective date to January 1, 2022, to encourage further discussion;
- (3) Inserting a sunset date of March 1, 2024; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the 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. 124, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 124, 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 (Matayoshi). Noes, none. Excused, 1 (LoPresti).

#### **SCRep. 454-22 Judiciary & Hawaiian Affairs on H.B. No. 1447**

The purpose of this measure is to exempt a person qualified as a county lifeguard and the employing county from liability for any civil damages resulting from the person's acts or omissions while providing rescue, resuscitative, or other lifeguard services, except as may result from the person's gross negligence or wanton acts or omissions.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Kaua'i County Council; one member of the Maui County Council; Hawai'i Fire Department; County of Maui Ocean Safety Bureau; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Ocean Safety Maui; Hawai'i State Association of Counties; and thirteen individuals. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that the counties may be reluctant to provide lifeguard services at beaches, including dangerous beaches, due to concerns about frivolous lawsuits contributing to the costs of insurance. By providing limited liability protection for county lifeguards and the employing counties, this measure will encourage the counties to expand their lifeguard services at beaches across the State.

Your Committee has amended this measure by:

- (1) Inserting the exception to liability for county lifeguard services into a new section under the State's tort actions chapter and further amending the exception to provide that, notwithstanding any other law to the contrary, a person employed as a county lifeguard, the county employing the county lifeguard, and the State are not be liable for any civil damages resulting from any act or omission of the county lifeguard while providing rescue, resuscitative, or other lifeguard services on the beach or in the ocean in the scope of employment as a county lifeguard, unless the claim for civil damages results from a county lifeguard's gross negligence or wanton act or omission; and
- (2) Making technical, 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. 1447, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1447, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 455-22 Judiciary & Hawaiian Affairs on H.B. No. 1624**

The purpose of this measure is to require judges to impose the crime victim compensation fee in all eligible cases.

Your Committee received testimony in support of this measure from the Department of Public Safety, Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Kauai Victim/Witness Program, Hawai'i State Coalition Against Domestic Violence, and Mothers Against Drunk Driving. Your Committee received testimony in opposition to this measure from the Judiciary, Office of the Public Defender, Hawai'i Association of Criminal Defense Lawyers, and one individual.

Your Committee finds that the Crime Victim Compensation Commission is facing funding problems due to the failure of judges to impose the crime victim compensation fee in eligible cases and court closures during the COVID-19 pandemic. Your Committee further finds that the Judiciary may not fully realize how the failure of its judges to impose the crime victim compensation fee is impacting the fiscal self-sufficiency of the Crime Victim Compensation Commission and thereby victims of crime.

Accordingly, your Committee has amended this measure by:

- (1) Amending the purpose section;
- (2) Reinstating the court's discretion to determine which defendants have the ability to pay the compensation fee;
- (3) Requiring that if a court waives the imposition of a compensation fee due to a defendant's inability to pay, the Judiciary shall deposit into the Crime Victim Compensation Special Fund an amount equal to one half of the compensation fee that would have been imposed upon the defendant; 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. 1624, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1624, 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 (Tokioa). Noes, none. Excused, 4 (LoPresti, Lowen, McKelvey, Ward).

#### **SCRep. 456-22 Water & Land/Energy & Environmental Protection on H.B. No. 1672**

The purpose of this measure is to broaden the counties' authority to create special improvement districts by expanding the objective of these districts to include environmental protection and preservation, natural resource management, and natural hazard mitigation.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i Sea Grant College Program and Climate Resiliency Initiative, Waikiki Beach Special Improvement District Association, Ko'olau Waialua Alliance, Surfrider Foundation - Hawai'i Region, Sierra Club of Hawai'i, and seven individuals.

Your Committees find that Hawaii is being exposed to a variety of threats that affect its environment and ecosystems, including the effects of climate change, such as the increase in the frequency and severity of storms and drought, sea level rise, groundwater inundation, and coastal erosion. These threats are of particular concern to the State due to its island topography and substantial coastal exposure.

Your Committees have amended this measure by:

- (1) Adding climate change and sea level rise adaptation as a purpose for the creation of a special improvement district by a county;
- (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 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. 1672, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1672, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7; Ayes with Reservations (Kong). Noes, none. Excused, 1 (McDermott).

Energy & Environmental Protection: Ayes, 8. Noes, none. Excused, none.

#### **SCRep. 457-22 Water & Land/Agriculture on H.B. No. 1721**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources and Department of Agriculture to collaborate on the development of a feral animal management plan and submit a report to the Legislature of their findings and recommendations; and
- (2) Appropriate funds for this purpose.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Maui County Council; Hawai'i Farm Bureau; Maui County Farm Bureau; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; and six individuals. Your Committees

received testimony in opposition to this measure from the Hawaii County Game Management Advisory Commission and two individuals. Your Committees received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committees find that the imbalance of feral animals in the State is wreaking havoc on the environment, agriculture, and communities.

Your Committees have amended this measure by:

- (1) Requiring the Department of Land and Natural Resources and Department of Agriculture to collaborate on feral animal management but not to develop a plan;
- (2) Describing the scope of feral animal management;
- (3) Deleting the requirement that the Department of Land and Natural Resources and Department of Agriculture submit a report of their findings and recommendations to the Legislature before the Regular Session of 2023;
- (4) Changing the purpose of the appropriation from the development of a feral animal management plan to establishment of one full-time equivalent (1.0 FTE) Natural Resources Management Specialist position related to feral animal management;
- (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.

Your Committees urge the Department of Land and Natural Resources to actively engage in discussions with stakeholders regarding feral animal management.

As affirmed by the records of votes of the members of your Committees on Water & Land and Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1721, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1721, 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).

Agriculture: Ayes, 6; Ayes with Reservations (Lowen). Noes, none. Excused, 2 (Tokioka, Matsumoto).

#### **SCRep. 458-22 Water & Land on H.B. No. 1631**

The purpose of this measure is to provide a refundable income tax credit for Hawaii homeowners who install and place into service a water catchment system that meets certain requirements.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i Sea Grant College Program, 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 water catchment systems can be cost-effective, reliable, and safe fresh water sources that reduce consumer demand on existing fresh water.

Your Committee has amended this measure by:

- (1) Making the tax credit nonrefundable and establishing a limit of one tax credit per qualified taxpayer;
- (2) Amending the definition of "qualified taxpayer" so that the taxpayer must have installed and placed in service the water catchment system during the taxable year in order to qualify for the tax credit;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1631, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1631, 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 (Ganaden, Kong, McDermott).

#### **SCRep. 459-22 Water & Land on H.B. No. 2041**

The purpose of this measure is to:

- (1) Increase from five to twenty-five the percentage of the Land Conservation Fund that may be used for costs related to the operation, maintenance, and management of lands acquired by the Fund;
- (2) Increase from \$5,100,000 to \$8,000,000 the maximum dollar amount of the conveyance tax distribution to the Land Conservation Fund, if it is less than ten percent of conveyance taxes collected in that fiscal year; and
- (3) Appropriate funds from the Land Conservation Fund for land acquisition.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Wai'anāe Community Re-Development Corp. dba MA'O, Ma'alaea Village Association; Ke Ao Hali'i; Hi'ipaka, LLC; Livable Hawaii Kai Hui; Maunaloa Fishpond Heritage Center; and five individuals. 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 Nature Conservancy - Hawai'i and Palmyra, The Trust for Public Land, and Tax Foundation of Hawaii.

Your Committee finds that the recent escalation in real estate market values has eroded the buying power of the Land Conservation Fund to its lowest level since its inception. At existing funding levels, the Legacy Land Conservation Program is unable to support many important opportunities for land acquisition. This measure would provide a valuable infusion of funds into the Land Conservation Fund at this critical time.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2041, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2041, 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 (Ganaden, Kong, McDermott).

**SCRep. 460-22 Water & Land on H.B. No. 2199**

The purpose of this measure to appropriate funds to support the Department of Land and Natural Resources' hatchery program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that loko i'a, or fishponds, play an important role in Hawaiian cultural practices, have an ecologically important role in watersheds, and could significantly contribute to the State's food security goals. Your Committee further finds that providing juvenile fish to restock loko i'a through the Department of Land and Natural Resources will support ongoing efforts to restore Hawaii's fishponds.

Your Committee has amended this measure by:

- (1) Removing all references to the Department of Land and Natural Resources' hatchery program;
- (2) Changing the appropriation to an unspecified amount;
- (3) Adding the provision of limu for the restoration and restocking of fishponds as a purpose of the appropriation;
- (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.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider appropriating \$300,000 for the Department of Land and Natural Resources to:

- (1) Provide fingerlings and limu for restoration and restocking of fishponds; and
- (2) Establish one full-time equivalent (1.0 FTE) Aquaculture Coordinator Biologist VI position.

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. 2199, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2199, 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 (Ganaden, Kong, McDermott).

**SCRep. 461-22 Water & Land on H.B. No. 1929**

The purpose of this measure is to:

- (1) Require the Office of Planning and Sustainable Development to perform a study to assess the rural district framework within the State Land Use Law and make recommendations for revisions to rural district policies and permissible uses within the rural district;
- (2) Require the Office of Planning and Sustainable Development to submit interim and final reports of the study to the Legislature; and
- (3) Appropriate funds for the study.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawaii Farm Bureau, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State and counties have not made effective use of the state rural land use district. Your Committee further finds that there is potential for greater use of the rural district to differentiate rural communities and lifestyle farms from working or commercial agricultural lands and to enable better protection of productive agricultural lands and the open space character of Hawaii's rural areas.

Your Committee notes that the Office of Planning and Sustainable Development completed a state land use review of districts report in January 2022, which found that the potential for preserving much of Hawaii's open space, rural communities, and working lands may be realized by redefining the policy framework for the rural district and reclassifying lands from the agricultural to the rural district to accommodate lower-density rural settlement patterns and subsistence farming lifestyles. This measure will continue the examination of the rural district framework to allow for better use of the state rural land use district and provide better protection for productive agricultural lands.

Your Committee has amended this measure by:

- (1) Deleting the amounts of the appropriations; and
- (2) Changing its effective date to July 1, 2050, to encourage further discussion.

Your Committee respectfully requests your Committee on Finance, should it choose to hear this measure, to consider appropriating \$250,000 for the Office of Planning and Sustainable Development to perform a study to refine rural district policies and complete the required reports to the Legislature.

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. 1929, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1929, 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 (Ganaden, Kong, McDermott).

**SCRep. 462-22 Housing/Health, Human Services, & Homelessness on H.B. No. 2233**

The purpose of this measure is to alleviate the rental housing needs of low-income families by authorizing and appropriating funds for the Department of Human Services to provide eligible households receiving benefits under the Temporary Assistance for Needy Families Program or Temporary Assistance for Other Needy Families Program with housing assistance subsidies of up to \$500 per month during their participation in the First-to-Work Program.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Department of Human Services; Zonta Club of Hilo; Partners In Care; Catholic Charities Hawai'i; Habitat for Humanity Hawaii Island, Inc.; Community Alliance Partners; We Are Oceania; HOPE



Services Hawaii; Hawai'i Children's Action Network Speaks!; Hawai'i Appleseed Center for Law & Economic Justice; and one individual. Your Committees received comments on this measure from the Department of Budget and Finance, State Procurement Office, and Tax Foundation of Hawaii.

Your Committees find that housing assistance can make a significant difference in the economic and personal well-being of low-income families. Housing costs are the single largest budget item in a household budget; however, the impact of housing costs are harder felt by low-income families and those experiencing homelessness or at risk of homelessness. This measure provides ongoing shallow subsidies for rental housing to reduce the housing cost burden for low-income families who are working to transition off public assistance, maintain their housing, and achieve self-sufficiency.

Your Committees have amended this measure by:

- (1) Broadening the appropriation to include system modifications for Temporary Assistance for Needy Families Program participants;
- (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 records of votes of the members of your Committees on Housing 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. 2233, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2233, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 8. Noes, none. Excused, 1 (McDermott).

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

#### **SCRep. 463-22 Housing/Health, Human Services, & Homelessness on H.B. No. 1648**

The purpose of this measure is to:

- (1) Establish the Office on Homelessness and Housing Solutions;
- (2) Establish the Homelessness and Housing Solutions Special Fund; and
- (3) Appropriate funds for the administration of the Office on Homelessness and Housing Solutions.

Your Committees received testimony in support of this measure from the Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, and three individuals. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Land and Natural Resources, Department of Budget and Finance, and Department of Public Safety.

Your Committees find that homelessness is one of the most pressing problems in the State, with the State's homelessness per capita rate among the highest in the nation. The Governor's Coordinator on Homelessness currently has the mandate and authority to lead the Hawaii Interagency Council on Homelessness, which is a cross-sector, inter-governmental advisory council tasked with shaping and executing the State's strategy to end homelessness. Your Committees further find that a sustained, long-term coordinated effort by government and the private sector is necessary to reduce and end homelessness statewide. The creation of a central office, as proposed in this measure, would enable greater collaboration, coordination, and creation of effective initiatives to prevent, reduce, and end homelessness.

Your Committees have amended this measure by:

- (1) Placing the Office on Homelessness and Housing Solutions within the Department of Human Services, rather than within the Department of Budget and Finance;
- (2) Making the civil service exemption applicable to only the Governor's Coordinator on Homelessness;
- (3) Authorizing each county to provide matching funds for deposit into the Homelessness and Housing Solutions Special Fund;
- (4) Requiring that monies in the special fund be used in accordance with state laws governing contracts made by state agencies for purchases of health and human services;
- (5) Exempting the special fund from the central service expenses and departmental administrative expenses assessments;
- (6) Appropriating funds to include an unspecified number of full-time equivalent positions for administration of the Office of Homelessness and Housing Solutions;
- (7) Changing the appropriations to unspecified amounts;
- (8) Designating the Department of Human Services as the expending agency for the appropriations in this measure;
- (9) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (10) 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 Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1648, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1648, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 8. Noes, none. Excused, 1 (McDermott).

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

#### **SCRep. 464-22 Housing on H.B. No. 1749**

The purpose of this measure is to:

- (1) Establish the Supportive Housing Task Force to improve data collection on supportive housing needs in the State; and
- (2) Appropriate funds for the task force.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, EAH Housing, Hawaii Community Foundation, Building Industry Association of Hawaii, Partners In Care, Catholic Charities Hawai'i, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Budget and Finance, Office of Information Practices, Hawai'i State Ethics Commission, and Common Cause Hawaii.

Your Committee finds that Act 39, Session Laws of Hawaii 2018, directed the Hawaii Housing Finance and Development Corporation to conduct a study of the housing waitlists in the State and each county to, among other things, quantify the need for housing among individuals with access and functional needs and identify supportive services that these individuals require. The Hawaii Housing Finance and Development Corporation found that 37,031 individuals with access and functional needs were reported to be in need of housing.

Your Committee further finds that affordable housing is but one area in which individuals with access and functional needs require support. For many of these individuals, access to housing goes hand in hand with access to intensive coordinated services and appropriate care for the individual in order for the individual to maintain stable housing. Your also Committee finds that a supportive housing task force will enable housing, human services, health, and other stakeholders to collectively address the need for housing and coordinated services for individuals with access and functional needs.

Your Committee has amended this measure by:

- (1) Amending the composition of the Supportive Housing Task Force to include the Executive Directors of Partners In Care and Bridging the Gap Hawaii, and enabling all task force members to select designees to serve in their absence;
- (2) Removing as unnecessary language exempting task force members from the financial interests disclosure requirements under the State Ethics Code, as the State Ethics Commission's longstanding practice is to exclude activities of task force members from the general provisions of the Code;
- (3) Exempting the task force from the Sunshine Law, rather than the entirety of the State's law governing public agency meetings and records;
- (4) Specifying that the appropriation in this measure includes funds for one full-time equivalent (1.0 FTE) planner or specialist position;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1749, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1749, 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 (McDermott).

#### **SCRep. 465-22 Education/Housing on H.B. No. 2345**

The purpose of this measure is to facilitate the development of affordable housing for teachers by appropriating funds to the Hawaii Housing Finance and Development Corporation to purchase the fee simple interest, lease, or acquire through another form of interest in a parcel of real property located in Ewa Beach on the island of Oahu to develop affordable housing, with priority given to Department of Education classroom teachers in the beginning of their careers.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association and three individuals. Your Committees received testimony in support of the intent of this measure from the Department of Education. Your Committees received comments on this measure from the Department of Budget and Finance; Hawaii Housing Finance and Development Corporation; Gentry Homes; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committees find that teacher recruitment and retention is a long-standing issue and has become a serious area of concern during the COVID-19 pandemic. This measure appropriates funds to begin the process of developing affordable housing, with priority given to public school teachers, to encourage prospective teachers to pursue employment in Hawaii's public schools.

Your Committees have amended this measure by:

- (1) Authorizing, rather than requiring, the acquisition of real property located in Ewa Beach on the island of Oahu to develop affordable housing;
- (2) Removing language that:
  - (A) Provides that if the real property is acquired, including through the use of a loan guaranty, the acquired real property shall be used solely for the development of affordable housing units for teachers and other improvements necessary for the affordable housing; and
  - (B) Requires the Hawaii Housing Finance and Development Corporation to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to effectuate and administer this measure;
- (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 records of votes of the members of your Committees on Education and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2345, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2345, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Education: Ayes, 8. Noes, none. Excused, 4 (Clark, Hashimoto, Quinlan, Yamane).

Housing: Ayes, 5. Noes, none. Excused, 4 (Hashimoto, Clark, LoPresti, McDermott).

#### **SCRep. 466-22 Education on H.B. No. 1834**

The purpose of this measure is to:

- (1) Require and appropriate funds to the Department of Education to establish and administer the Strong Students Grant Pilot Program (Pilot Program) to provide grants for eligible education expenses to eligible students; and
- (2) Require the Department of Education to submit progress reports on the Pilot Program to the Legislature.

Your Committee received testimony in support of this measure from HawaiiKidsCAN and 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 the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 pandemic has been incredibly disruptive to student learning. Your Committee further finds that many residents living with at least one child under the age of eighteen have seen their combined household income decline and require financial assistance to support their child's education. This measure will provide grants to eligible students for certain eligible education expenses and alleviate the financial burden families in supporting their children.

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 H.B. No. 1834, 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. 1834, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Kapela). Noes, none. Excused, 1 (Clark).

#### **SCRep. 467-22 Education on H.B. No. 1941**

The purpose of this measure is to require the Department of Education to establish a Sustainable Community School Program to provide grants for the planning and implementation of community schools.

Your Committee received testimony in support of this measure from the Hawaii Afterschool Alliance; Democratic Party of Hawaii Education Caucus; Hawaii Children's Action Network Speaks!; Hawaii State Teachers Association; Early Childhood Action Strategy; and three individuals. Your Committee received testimony in support of the intent of this measure from the Department of Human Services. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the community school model aims to organize community resources to enable students to thrive and excel. This measure will ensure high-quality educational opportunities and improved educational outcomes for students through the support and input of school families and the local community.

Your Committee has amended this measure by:

- (1) Establishing the Sustainable Community School Program as a two-year pilot program, rather than permanently in statute;
- (2) Updating reporting requirements;
- (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. 1941, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1941, 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. 468-22 Education on H.B. No. 2013**

The purpose of this measure is to establish and fund a School Garden Coordinator Position within the Department of Education's Office of Curriculum and Instructional Design to provide technical support and startup resources for schools interested in starting a school garden program.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, Local Food Coalition, Center for Getting Things Started, Hawai'i Farm Bureau, Hawai'i Farm to School Hui, Farm to Keiki, Ka Ohana O Na Pua, O'ahu Farm to School Network, Hawaii Food Youth Council, Hawaii Food Industry Association, Grow Some Good, Mala'ai, and four individuals. Your Committee received testimony in support of the intent of this measure from the Department of Agriculture. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the increased use of learning gardens and farms on school campuses across Hawaii plays a central role in protecting student health, advancing academic achievement, and strengthening social and emotional well-being. Your Committee further finds that the establishment of a School Garden Coordinator position is vital to successfully implement the purpose of the Hawaii Farm to School Program, as set forth in Act 175, Session Laws of Hawaii 2021, which aims to improve student health, develop an educated agricultural workforce, and accelerate garden and farm-based education for public school students.

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. 2013, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2013, 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. 469-22 Education on H.B. No. 1586**

The purpose of this measure is to:

- (1) Repeal language authorizing the Department of Education to retain federal disaster relief funds;
- (2) Clarify that all federal funds received by the State for reimbursement of disaster-related expenses shall first be applied to the originating fund used by the department or agency for payment of disaster relief expenses; with funds to be returned to the general fund upon the lapse of the original appropriation;
- (3) Require each state agency to submit an annual report to the Hawaii Emergency Management Agency of certain information relating to funds expended for disaster response;
- (4) Require the Administrator of the Hawaii Emergency Management Agency to submit an annual report to the Legislature on the status of federal reimbursement monies for disaster response and disaster response spending by each state agency; and
- (5) Appropriate funds to the Department of Defense for disaster response efforts.

Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, and Hawaii Emergency Management Agency.

Your Committee finds that Hawaii is prone to many natural disasters, including hurricanes, volcanic eruptions, and wildfires. Various state departments and agencies have had to respond to these natural disasters as quickly as possible by utilizing their funds for disaster response efforts and then applying for federal reimbursement. Your Committee further finds that state departments and agencies may wait months or years to receive federal reimbursement and are forced to take funds from current operating expenses to cover for the delayed reimbursements, thereby forcing cuts or program changes in the department.

Your Committee notes that, out of necessity, the Department of Education expends appropriations to provide disaster relief from appropriation made for different purposes, including lump sum capital improvement program funds. If the Department of Education were to undertake the considerable additional administrative workload required to maximize federal funding, the Department would need authorization to receive and retain federal disaster relief reimbursements for expenditures made.

Accordingly, your Committee has amended this measure by:

- (1) Restoring statutory language authorizing the Department of Education to retain federal disaster relief funds;
- (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 H.B. No. 1586, 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. 1586, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 470-22 Education on H.B. No. 1736**

The purpose of this measure is to temporarily allow licensed teachers who have retired to be employed as teachers during a state of emergency and within twelve months of their retirement.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, and one individual. Your Committee received testimony in support of the intent of this measure from the Employees' Retirement System.

Your Committee finds that the State has been experiencing a chronic teacher shortage, making it very challenging to provide quality education for Hawaii's students. The teacher shortage in Hawaii has been exacerbated by the COVID-19 pandemic, with many teachers having to stay home from work because of exposure to COVID-19 or to take care of their loved ones who are sick with COVID-19.

Your Committee further finds that during the 2020-2021 academic year, over four hundred teachers retired. The employment of these recently retired teachers can help to address the current shortage of teachers; however, existing law prevents the retired teachers from doing so. This measure will temporarily authorize recently retired licensed teachers to continue to teach during a state of emergency.

Your Committee has amended this measure by changing its effective date to July 1, 2051.

Your Committee notes the concerns from the Employees' Retirement System in its testimony regarding the potential negative impact this measure may have on the Employees' Retirement System's status as a qualified governmental plan under the Internal Revenue Code. Specifically, the Employees' Retirement System is concerned about any pre-existing agreements or expectations of a retiring employee to return to work, incentivizing currently employed teachers to retire early, and the timing and duration of reemployment for retired teachers. Your Committee respectfully requests your Committee on Finance, should it decide to deliberate on this measure, to consider the Employees' Retirement System's concerns.

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. 1736, 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. 1736, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 471-22 Education on H.B. No. 1864**

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriating funds for school cafeteria upgrades and appropriating funds for cafeteria staff training.

Your Committee received testimony in support of this measure from the Department of Education, Department of Agriculture, one member of the Hawaii County Council, Ulupono Initiative, Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, Ho'okāko'o Corporation, Hawai'i Farm to School Hui, Hawai'i 'Ulu Producers Cooperative, Ka Ohana O Na Pua, Grow Some Good, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that school food programs play a critical role in improving the health of Hawaii's children by encouraging consumption of fresh, locally grown foods. Your Committee further finds that the funds appropriated in this measure will improve the ability of school food programs to serve students fresh, locally grown foods and is an investment in the health of Hawaii's children.

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. 1864, 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 (Okimoto). Noes, none. Excused, none.

#### **SCRep. 472-22 Education on H.B. No. 1525**

The purpose of this measure is to update the reporting requirements for state departments in meeting programmatic goals for the purchase and procurement of locally sourced products.

Your Committee received testimony in support of this measure from the Department of Education; Hawai'i Farm Bureau; Hawai'i Farm to School Hui; Local Food Coalition; Hawaii Cattlemen's Council, Inc.; Hawai'i Alliance for Progressive Action; Grow Some Good; and one individual. Your Committee received testimony in support of the intent of this measure from Ulupono Initiative.

Your Committee finds that Act 175, Session Laws of Hawaii 2021, moved the Hawaii Farm to School Program from the Department of Agriculture to the Department of Education and established a programmatic goal that at least thirty percent of food served in public schools be locally sourced by 2030. Your Committee further finds that Act 176, Session Laws of Hawaii 2021, established benchmarks for state departments to achieve to ensure that a certain percentage of produce that is purchased by departments is locally grown. Your Committee believes that additional guidance is needed for state departments regarding the implementation of the departments' purchasing and reporting obligations pursuant to Act 175 and Act 176, Session Laws of Hawaii 2021.

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. 1525, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1525, 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. 473-22 Pandemic & Disaster Preparedness/Health, Human Services, & Homelessness on H.B. No. 1745**

The purpose of this measure is to appropriate funds to the Department of Labor and Industrial Relations to support the State's food banks.

Your Committees received testimony in support of this measure from one member of the Maui County Council; AlohaCare; Hawaii Food Bank; Hawai'i Health & Harm Reduction Center; Hawaii Medical Service Association; Aloha Harvest; Maui Food Bank; Malama Kaua'i; Hawaii Association of Health Plans; Waianae Coast Comprehensive Health Center; Kaiser Permanente; Hawai'i Primary Care Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Ulupono Initiative; Parents And Children Together; The Food Basket Inc., Hawai'i Island's Food Bank; Hawaii Foodbank Kaua'i; United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Farm Bureau; Hawai'i Hunger Action Network; Hawaii Food Industry Association; and thirteen individuals. Your Committees received comments on this measure from the Department of Budget and Finance and Office of Community Services of the Department of Labor and Industrial Relations.

Your Committees find that the economic disruption precipitated by the onset of the coronavirus disease 2019 pandemic substantially increased food insecurity in the State. Food insecurity in the State was further exacerbated by the pandemic, with one in six Hawaii residents struggling with hunger, including eighty-two thousand children. Your Committees further find that Hawaii has the second highest rate of child food insecurity in the United States. This measure provides crucial operational support to Hawaii's food banks and ensures the provision of healthy, nutritious food to Hawaii's residents.

Your Committees have amended this measure by:

- (1) Changing the appropriation amount to an unspecified amount;
- (2) Allocating one percent of the funds appropriated to the Office of Community Services of the Department of Labor and Industrial Relations for the purposes of this measure;
- (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.

Your Committees note that although the appropriation amount was changed to an unspecified amount to encourage further discussion, the requested amount is \$2,000,000. Your Committees further note that in their oral testimony, the Office of Community Services of the Department of Labor and Industrial Relations stated that one percent of the original appropriation amount, or \$20,000, would be necessary to cover the costs incurred by carrying out this measure.

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. 1745, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1745, 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, none.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

#### **SCRep. 474-22 Pandemic & Disaster Preparedness on H.B. No. 2443**

The purpose of this measure is to appropriate funds to the Department of Defense for fiscal year 2021-2022 to provide relief from flooding events.

Your Committee received testimony in support of this measure from the Department of Defense, Hawaii Emergency Management Agency, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that recent events such as the severe storms in March and December of 2021 show that the State is vulnerable to many natural disasters, particularly flooding. This measure establishes a legislative vehicle to allow the Department of Defense to quickly respond to any potential flooding events, thereby ensuring the safety of residents and visitors 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2443, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2443, 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. 475-22 Corrections, Military, & Veterans on H.B. No. 2169**

The purpose of this measure is to clarify that the Department of Public Safety's role is to work with the Department of Transportation and county Examiners of Drivers to assist certain inmates in obtaining civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than to actually issue civil identification cards.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Health & Harm Reduction Center, and Women's Prison Project. Your Committee received comments on this measure from the Hawai'i Correctional System Oversight Commission and Common Cause Hawaii.

Your Committee finds that having a civil identification card is essential to eliminating many barriers for inmates exiting prison to integrate back into the community. This measure will clarify the role of the Department of Public Safety in supporting this tool to reentry.

Your Committee has amended this measure by changing the effective date to July 1, 3000, to encourage further discussion.

Your Committee also requests that subsequent committees hearing this measure consider how it will interface with automatic voter registration, if at all, as established by Act 126, Session Laws of Hawaii 2021 (Act 126). Section 1 of Act 126, codified at section 11-15.7, Hawaii Revised Statutes, provides that an application for voter registration shall be a part of the application for issuance of an identification card under section 286-303, Hawaii Revised Statutes. Your Committee notes that it does not intend to interfere with or impede any automatic voter registration efforts through this measure.

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. 2169, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2169, 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. 476-22 Corrections, Military, & Veterans on H.B. No. 2435**

The purpose of this measure is to:

- (1) Require pat downs and searches of female inmates to be conducted by a female correctional facility employee unless the inmate presents a risk of immediate harm to self or others or a risk of escape;
- (2) Prohibit male correctional facility employees from entering areas where female inmates may be in a state of undress unless an inmate in the area presents a risk of immediate harm to self or others or if there is a medical emergency in the area; and
- (3) Require any prohibited search, pat down, or entry by a male correctional facility employee to be documented within three days of the incident, reviewed by the warden, and retained by the institution for reporting purposes.

Your Committee received testimony in support of this measure from the Hawaii Health & Harm Reduction Center, Hawai'i Friends of Restorative Justice, Women's Prison Project, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that this measure will help to ensure the protection of incarcerated women, many of whom have experienced sexual violence and suffer from post-traumatic stress disorder symptoms.

Your Committee has amended this measure by:

- (1) Clarifying that the male correctional facility employee shall not enter into an area of the institution where the male employee can view females in a state of undress for the purpose of conducting a search of a female inmate;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2435, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2435, 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. 477-22 Corrections, Military, & Veterans on H.B. No. 1741**

The purpose of this measure is to:

- (1) Require the Department of Human Services to continue to lead a working group to address visitation and support needs of children and families of incarcerated individuals;
- (2) Require the Department of Human Services to work with the Department of Public Safety and other entities to establish a Pilot Visitation and Family Resource Center at Waiawa Correctional Facility on Oahu;
- (3) Require the working group to submit a report to the Legislature before the Regular Session of 2023; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Hawaii Paroling Authority, Hawai'i Health & Harm Reduction Center, Hawai'i Association of School Psychologists, Hawaii Children's Action Network Speaks!, Community Alliance on Prisons, Blueprint for Change, Early Childhood Action Strategy, Hawaii Youth Services Network, and ten individuals. Your Committee received comments on this measure from the Department of Public Safety, Department of Human Services, Department of Budget and Finance, and Office of Information Practices.

Your Committee finds that any network of transitional services must include meaningful reconnection with families, particularly if the incarcerated individual has children. National data shows that incarcerated individuals who maintain regular contact with their children and families are less likely to recidivate when they reenter society. Moreover, a visitation and resource center would help children deal with the trauma caused by parental incarceration.

Your Committee has amended this measure by:

- (1) Requiring the working group to determine the anticipated initial and annual costs to run a sustainable Pilot Visitation and Family Resource Center Program at Waiawa correctional facility on Oahu and include that cost in its report to the Legislature;

- (2) Changing the 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 this measure proceeds through the legislative process, your Committee requests that the comments of the Office of Information Practices concerning the Sunshine Law, part I of chapter 92, Hawaii Revised Statutes, be considered.

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. 1741, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1741, 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. 478-22 Consumer Protection & Commerce on H.B. No. 1885**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a Chief Data Officer within the Office of Enterprise Technology Services to develop, implement, and manage statewide data policies, procedures, and standards and facilitate data sharing across state agencies; and
- (2) Establish a Data Task Force within the Office of Enterprise Technology Services to assist in the development of the statewide data policies, procedures, and standards.

Your Committee received testimony in support of this measure from the Office of Information Practices, Office of Enterprise Technology Services, Ulupono Initiative, Civil Beat Law Center for the Public Interest, Transform Hawai'i Government, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that policy decisions are most effective when those decisions are grounded in and based on reliable data. Transparent and consistent sources of data are vital in order for the State to make important decisions and develop effective strategies for the benefit of Hawaii residents. This measure will improve the State's efforts to improve data policies, procedures, and standards and facilitate data sharing and transparency.

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. 1885, 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. 479-22 Consumer Protection & Commerce on H.B. No. 1412**

The purpose of this measure is to require the counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors; one member of the Maui County Council; one member of the Kaua'i County Council; one member of the Hawai'i County Council; County of Maui Department of Environmental Management; City and County of Honolulu, Department of Customer Services, Motor Vehicles, Licensing and Permitting Division; Department of Hawai'i Department of Environmental Management; Nanawale Community Association Board of Directors; and thirteen individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that abandoned vehicles on public streets create widespread environmental issues and unsafe and unhealthy conditions for residents of the State. Abandoned vehicles also pose as a financial burden to the State and counties as they relate to disposal costs and outstanding fines. Your Committee further finds that under existing law, a vehicle is "abandoned" if it is left unattended for a continuous period of more than twenty-four hours and it is unlawfully parked on certain lands. However, there is ambiguity as to whether a vehicle may no longer be deemed abandoned if the vehicle is moved a short distance. This measure will clarify this ambiguity by requiring the any county ordinance that defines when a vehicle is "abandoned" to include a minimum distance and timeframe for a vehicle to no longer be classified as abandoned.

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. 1412, 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. 480-22 Consumer Protection & Commerce on H.B. No. 1413**

The purpose of this measure is to:

- (1) Authorize a county director of finance to require payment of outstanding charges and fines relating to the disposition of an abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and
- (2) Require a county director of finance to notify the appropriate county examiner of drivers of the individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

Your Committee received testimony in support of this measure from the Hawaii Council of Mayors, one member of the Hawaii County Council, one member of the Kauai County Council, County of Maui Department of Environmental Management, Finance Department of the County of Kauai, County of Hawaii Department of Environmental Management, Nanawale Community Association Board of Directors, and ten individuals.

Your Committee finds that abandoned vehicles on public streets create widespread environmental issues and unsafe and unhealthy conditions for residents of the State. Your Committee further finds that additional deterrence mechanisms are needed to bolster counties' efforts to address this problem. This measure provides an additional deterrence mechanism through the placement of stops on vehicle registrations and transfers and through the suspension, revocation, or denial of renewal of driver's licenses.

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. 1413, 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. 481-22 Consumer Protection & Commerce on H.B. No. 1839**

The purpose of this measure is to make camper vans a type of transient accommodation, the rental of which is subject to the transient accommodations tax.

Your Committee received testimony in support of this measure from one member of the Maui County Council. Your Committee received testimony in opposition to this measure from Hawai'i Lodging & Tourism Association. Your Committee received comments on this measure from the Department of Taxation, Hawaii Tourism Authority, Tax Foundation of Hawaii, and Maui Hotel & Lodging Association.

Your Committee finds that visitors are increasingly renting camper vans as an alternative to hotel rooms or transient vacation rentals. Your Committee further finds that, while camper vans are properly taxed under the rental motor vehicle surcharge tax, they are not taxed under the existing transient accommodations tax even though they function as transient accommodations. This measure ensures that camper vans are properly taxed as transient accommodations.

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. 1839, 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. 1839, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

**SCRep. 482-22 Consumer Protection & Commerce on H.B. No. 1705**

The purpose of this measure is to allow the Department of Agriculture to extend the lease of any agricultural park lessee who holds a lease with a remaining term of fifteen years or less; provided that the land covered by the lease is twenty-five acres or less and located in a county with a population of less than five hundred thousand.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Land Use Research Foundation of Hawaii, Panaewa Foliage, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee finds that the success of farmers is critical to the State's goal to double local food production. Through the Department of Agriculture, agriculture and agricultural production are advanced through the leasing of public lands, which make it practical for producers to succeed and provide the State's communities with what they need. The Department of Agriculture's long-term leases make it possible for farmers and ranchers to prudently invest in operational and infrastructure improvements on leased land.

However, your Committee further finds that lessees whose leases are close to expiration and whose continued tenancy is uncertain have little incentive to invest in major improvements to their infrastructure and ensure the long-term maintenance of their facilities. This measure will allow the Department of Agriculture to settle those uncertainties by granting extensions.

Your Committee notes that, while the Department of Agriculture appreciated the intent of the measure, the Department expressed its position in its testimony before your Committee that the leasing of public lands should be opened for competition, rather than maintaining the operations of existing lessees. The Department commented that the competition will provide an opportunity to support new farmers and incentivize established farming operations with proven agricultural capabilities and economic viability to scale up and expand their operations. While your Committee appreciates this position and fully agrees that the leasing of public lands should be conducted in a manner to maximize opportunity and use, your Committee notes that this measure does not mandate that the Department of Agriculture grant an extension; this measure merely authorizes such extension at the discretion of the Department.

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 H.B. No. 1705, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1705, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

**SCRep. 483-22 Consumer Protection & Commerce on H.B. No. 2016**

The purpose of this measure is to require the Department of Land and Natural Resources to prepare a master plan for the Sand Island State Recreation Area and appropriate funds for preparation of the plan.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, The Pillars LLC, Keiki o ka 'Āina, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the previous Sand Island State Recreation Area plan was completed in 1973 but was never fully implemented. Since then, the Sand Island State Recreation Area has become a diverse park unit but is now dilapidated, with aging infrastructure and irrigation deficiencies. Your Committee further finds that an updated master plan for the Sand Island State Recreation Area will help to address the weathered and antiquated facilities, create increased outdoor recreation opportunities, create plans for underutilized spaces, and guide the Department of Land and Natural Resources in addressing the impacts of sea level rise on coastal recreational land.

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. 2016, 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. 484-22 Consumer Protection & Commerce on H.B. No. 1516**

The purpose of this measure is to prohibit as an unfair and deceptive practice the advertisement of a good or service in the absence of licenses or permits for the good or service, to the extent the licenses or permits are required by applicable state and county laws.

Your Committee received testimony in support of this measure from the Hawaii Funeral & Cemetery Association, Inc.; American Hotel & Lodging Association; and Hawai'i Hotel Alliance. Your Committee received comments on this measure from the Subcontractors Association of Hawaii.

Your Committee finds that this measure is intended to protect consumers by keeping unauthorized sellers of goods and services from advertising such goods and services for sale. Your Committee further finds that this measure will act as a deterrent to would-be unauthorized sellers, as each violation under this measure subjects the seller to civil penalties for each violation.

Your Committee has amended this measure by:

- (1) Deleting language that conflicted with existing statutory language prohibiting the aiding and abetting of an unlicensed person;
- (2) Deleting as unnecessary the definition for "applicable state law or county ordinance";
- (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. 1516, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1516, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

**SCRep. 485-22 Consumer Protection & Commerce on H.B. No. 1960**

The purpose of this measure is to clarify the general excise tax exemption for unrelated trade or business activities of nonprofit organizations.

Your Committee received testimony in support of this measure from the Hawai'i Health & Harm Reduction Center, Hawai'i Pacific Health, Hawaii Children's Action Network Speaks!, Hawaii Youth Services Network, Hawaiian Humane Society, Samaritan Counseling Center Hawaii, Hawai'i Arts Alliance, Pacific American Foundation, Hawai'i Alliance of Nonprofit Organizations, Hawai'i Care Choices, The Queen's Health Systems, Conflict Resolution Alliance, PHOCUSED, Aloha Harvest, Oahu Economic Development Board, Hui No'eau Visual Arts Center, WAI: Wastewater Alternatives & Innovations, Parents And Children Together, Hawaii Animal Rescue Foundation, Hawaii Substance Abuse Coalition, North Kohala Community Resource Center, Na Hoaloha, Accumulus, Malama Kaua'i, Boys & Girls Club of Hawaii, Molokai Arts Center, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that this measure will align the state general excise tax law with the federal income tax code by exempting from the State's general excise tax the income generated by a nonprofit organization for any activity considered an "unrelated trade or business", as defined by the federal Internal Revenue Code. Your Committee further finds that clarifying the state general excise tax law will relieve the additional burden on nonprofit organizations having to account for income in disparate ways.

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. 1960, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1960, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

**SCRep. 486-22 Consumer Protection & Commerce on H.B. No. 2177**

The purpose of this measure is to:

- (1) Expand the Department of Taxation's authority to require electronic filings;
- (2) Require certain tax return preparers to electronically file returns;
- (3) Repeal language that authorized the Director of Taxation to require electronic funds transfer or electronic filing if the federal government required a person to do so;
- (4) Remove the timeliness requirement of the electronic funds transfer penalty;
- (5) Remove the authority of the Department of Taxation to charge for certified copies of tax clearances;
- (6) Clarify tax clearances for liquor license holders;
- (7) Increase the aggregate cap on late filing penalties;
- (8) Create an additional penalty category for late filing for certain informational returns where no tax is due;
- (9) Clarify the interest calculations for taxes paid pending appeal; and
- (10) Specify that a partnership, estate, or trust is liable for the required withholding from a nonresident taxpayer's distributive share of income.

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

Your Committee finds that updates to various sections of the state tax code will allow the Department of Taxation to more efficiently and effectively administer its provisions. By providing taxpayers greater clarity, this measure will also increase tax compliance, streamline administrative processes, and lower the risk that taxpayers may incur unexpected penalties.

However, your Committee has heard the concerns raised in testimony regarding the significant increase in penalties proposed by this measure for failure to electronically file or late filing of tax returns and late payment of taxes owed. Your Committee shares these concerns, particularly the impact these provisions may have on small filers and taxpayers who may have made an inadvertent mistake.

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. 2177, 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. 2177, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 487-22 Consumer Protection & Commerce on H.B. No. 1688**

The purpose of this measure is to:

- (1) Subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles; and
- (2) Authorize the counties to use certain motor vehicle registration fees to mitigate and address the impacts of tourism-related traffic congestion.

Your Committee received testimony in support of this measure from the Mayor of the County of Kaua'i, County of Kaua'i Department of Finance, one member of the Maui County Council, Hawai'i State Association of Counties, Enterprise Holdings, and Hertz. Your Committee received comments on this measure from the Tax Foundation of Hawaii and Maui Chamber of Commerce.

Your Committee finds that under existing law, counties are authorized to establish by ordinance and annually collect an additional fee for certificates of registration for motor vehicles. These additional fees are to be used for highway beautification and the disposition of abandoned and derelict vehicles.

Your Committee further finds that U-drive motor vehicles have at least the same impact as other types of motor vehicles on the highways and on highway congestion. However, at \$1, the additional fee for vehicle registrations for U-drive motor vehicles is half that authorized for other motor vehicles. Your Committee believes it is appropriate to authorize counties to charge the same added fee to all motor vehicles to help to offset growing concerns in the State over tourism-related traffic congestion. This measure will remove the discrepancy in the fees charged to U-drive motor vehicles and all other motor vehicles and authorize counties to also use the monies collected to mitigate the impacts of tourism-related traffic congestion.

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. 1688, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1688, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 488-22 Consumer Protection & Commerce on H.B. No. 1953**

The purpose of this measure is to provide the Department of Transportation with more flexibility and discretion to address substantial hardship situations that impact airport concession contracts.

Your Committee received testimony in support of this measure from the Airport Concessionaires Committee and one individual. Your Committee received testimony in opposition to this measure from the Airlines Committee of Hawaii. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the Department of Transportation lacked the flexibility and discretion it needed to grant relief to airport concessions facing financial hardship during the coronavirus disease 2019 pandemic. This measure will address the inadequacy of options the Department of Transportation has at its disposal in responding to downturns in tourism, air traffic, and corresponding decreases in volume in business generated by travelers at the airport.

Your Committee has amended this measure by:

- (1) Changing the maximum number of years of the term of any contract for airport concessions to an unspecified number; and
- (2) Making technical, 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. 1953, 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. 1953, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 489-22 Consumer Protection & Commerce on H.B. No. 1752**

The purpose of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords to participate in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937, and appropriate funds for incentives under the Program;
- (2) Require the Hawaii Public Housing Authority to adopt rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (3) Establish and appropriate funds for positions within the Hawaii Public Housing Authority for inspections and other aspects related to dwelling units that are the subject of applications for the Section 8 Housing Choice Voucher Program.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Catholic Charities Hawai'i, Hawai'i Health & Harm Reduction Center, St. Michael the Archangel Church, Community Alliance Partners, and one individual.

Your Committee received comments on this measure from the Department of Budget and Finance, Partners In Care, Hawai'i Association of REALTORS, and Hope Services Hawaii.

Your Committee finds that many low-income persons and families who obtain needed assistance have great difficulty in finding and securing rentals in a high-cost, low-supply housing landscape like Hawaii. This measure provides incentives to encourage increased landlord participation and acceptance of the Section 8 Housing Choice Voucher System, which is critical given the ongoing coronavirus disease pandemic and its impacts on low-income households, and will reduce upfront barriers that prohibit low-income families from accessing existing rental housing and housing assistance.

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. 1752, 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. 1752, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 490-22 Consumer Protection & Commerce on H.B. No. 1575**

The purpose of this measure is to:

- (1) Broaden the scope of practice for physician assistants; and
- (2) Streamline the medical records review process for physician assistants by requiring a sampling of medical records, rather than all medical records, to be reviewed when physician assistants prescribe controlled substances.

Your Committee received testimony in support of this measure from the Hawaii Medical Board, The Queen's Health Systems, Kaiser Permanente Hawai'i, Hawai'i Public Health Association, Hawai'i Academy of Physician Assistants, Hawai'i Pacific Health, Occupational Therapy Association of Hawaii, and numerous individuals. Your Committee received comments on this measure from the Disability and Communication Access Board and Hawai'i State Center for Nursing.

Your Committee finds that since 2016, the number of physician assistants has increased by one hundred five percent on the island of Hawaii, one hundred fourteen percent on Kauai, and thirty-five percent on Maui. Despite this increase, physician assistants remain underutilized because state restrictions on physician assistant scope of practice limit these health care providers from practicing at the top of their training and education. This measure removes some of these restrictions and helps align the scope of practice for state-licensed physician assistants with national practices.

Your Committee has amended this measure by:

- (1) Removing amendments relating to advanced practice registered nurses, as these are beyond the scope of this measure's title;
- (2) Preserving the amendment made to the Controlled Substances Act by this measure from the associated repeal and reenactment provision in Act 66, Session Laws of Hawaii 2017; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1575, 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. 1575, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 491-22 Consumer Protection & Commerce on H.B. No. 1594**

The purpose of this measure

- (1) Require all licensed nurses to respond to the Center for Nursing Workforce Supply Survey upon license renewal; and
- (2) Increase the Center for Nursing fee.

Your Committee received testimony in support of this measure from the University of Hawaii at Manoa Nancy Atmospera-Walch School of Nursing, Hawai'i State Center for Nursing, The Queen's Health Systems, Kaiser Permanente Hawai'i, Hawaii-American Nurses Association, 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 Nursing.

Your Committee finds that the Center for Nursing was established in 2003, to be funded through a biennial \$40 fee assessed per individual nurse licensee. The fee has not been adjusted since that time and a modest increase is now needed to help the Center sustain the staffing needed to maintain its programs and meet its mandates. Additionally, your Committee finds that the Center for Nursing has faced challenges in securing adequate Nursing Workforce Supply Survey responses. Requiring responses to the survey will improve the Hawaii State Center for Nursing's ability to aggregate nursing workforce data and better inform policy makers, health care leaders, and others on the availability and characteristics of the nursing workforce 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 H.B. No. 1594, 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 (Morikawa).

#### **SCRep. 492-22 Consumer Protection & Commerce on H.B. No. 1675**

The purpose of this measure is to:

- (1) Permit minors to consent to medical care and services related to the diagnosis, treatment, or prevention of the human immunodeficiency virus;
- (2) Specify that a minor, under certain circumstances, shall not be liable for payment associated with the diagnosis, treatment, or prevention of human immunodeficiency virus; and
- (3) Authorize physician assistants, in addition to physicians and advanced practice registered nurses, to render this medical care and services to minors.

Your Committee received testimony in support of this measure from the Department of Health, Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Health & Harm Reduction Center, Hawai'i Academy of Physician Assistants, Kaiser Permanente Hawai'i, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i State Center for Nursing and Planned Parenthood Alliance Advocates–Hawai'i.

Your Committee finds that this measure supports critical treatment of minors diagnosed with human immunodeficiency virus (HIV) and could help prevent HIV acquisition in minors. Existing statutes do not appear to permit minors to consent to medical care related to the prevention of HIV, which is a critical gap in access to medical care. Permitting minors who cannot or will not seek the consent of their parents or guardians to consent to HIV medical care is essential to the health of minors and a valuable step in ending the HIV epidemic 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. 1675, 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 (Morikawa).

#### **SCRep. 493-22 Consumer Protection & Commerce on H.B. No. 1746**

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, Executive Office on Aging, Alliance of Professional Primary Caregivers, and one individual. Your Committee received testimony in opposition to this measure from Hawaii Substance Abuse Coalition and Hawaii Primary Care Association. 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 Hawai'i's elderly and vulnerable populations. The Department of Health continues to take enforcement actions to protect consumers and the public, which are critical components of the State's regulatory efforts for consumer protection. This measure aims to provide additional safeguards for the public, protect aged and vulnerable persons, and ensure quality of care by requiring and enforcing the requirement that all residential care homes and other health care facilities, agencies, and organizations be licensed.

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. 1746, 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 (Morikawa).

#### **SCRep. 494-22 Consumer Protection & Commerce on H.B. No. 1758**

The purpose of this measure is to allow for temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country that are seeking a state license by endorsement.

Your Committee received testimony in support of this measure from the East Hawaii Region of Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Hawai'i Pacific Health, Hawai'i Friends of Civil Rights, Hawaii Medical Service Association, The Legal Clinic, Hawai'i Coalition for Immigrant Rights, Hawai'i–American Nurses Association, and one individual. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, and The Queen's Health Systems.

Your Committee finds that the coronavirus disease 2019 pandemic has exacerbated the State's nursing shortage. According to the Department of Commerce and Consumer Affairs, nearly five thousand nurses left the field between 2019 and mid-year 2021, shrinking the total active nursing workforce from 33,410 to 28,548 in that timeframe.

Your Committee further finds that expanding the eligibility for a temporary permit to certain registered nurses and qualified licensed practical nurses from other territories and foreign jurisdictions will enable more qualified health care professionals to quickly find employment and enter into the State's health care field. This measure thereby has the potential to enlarge the pool of qualified health care professionals, relieving some of the strain on the State's existing nursing workforce.

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. 1758, 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. 1758, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 495-22 Energy & Environmental Protection on H.B. No. 1992**

The purpose of this measure is to:

- (1) Permit composting and co-composting operations in agricultural districts; and
- (2) Appropriate funds for an Environmental Specialist IV position for the Department of Health Solid and Hazardous Waste Branch.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, County of Hawai'i Department of Environmental Management, County of Maui Department of Environmental Management, Climate Protectors Hawai'i, 350Hawaii, Hawai'i Alliance for Progressive Action, North Shore Economic Vitality Partnership, Sustainable Coastlines Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, Department of Agriculture, and Hawai'i Farm Bureau.

Your Committee finds that composting is currently not allowed in agricultural districts, which creates a barrier for composting entities from obtaining the permits necessary to establish operations. This measure expands composting opportunities in the State, which could result in the reuse of materials that would otherwise end up in landfills, improved soil health, and increased crop yields.

Your Committee has amended this measure by:

- (1) Inserting language that establishes a new permanent full-time equivalent Environmental Health Specialist IV position for the Solid and Hazardous Waste Branch of the Department of Health; and
- (2) Making technical, 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. 1992, 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. 1992, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 496-22 Energy & Environmental Protection on H.B. No. 2042**

The purpose of this measure is to:

- (1) Authorize the governing body of a county to create, by ordinance, a process for the recordation and enforcement of solar easements;
- (2) Allow counties to require individuals claiming a solar right to record that right by filing a declaration with the county clerk; and
- (3) Authorize the governing body of a county to require, by ordinance, the trimming of vegetation that blocks solar radiation from solar energy devices.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the development and expansion of solar energy technology will help the State achieve its renewable energy goals. Enabling the counties to regulate and enforce certain rights or access to solar radiation would create a mechanism by which solar easements and rights may be established, asserted, and defended even as shade from neighboring structures or vegetation may infringe upon those rights or access.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 2042, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2042, 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 (Matayoshi, Tokioka). Noes, none. Excused, none.

#### **SCRep. 497-22 Energy & Environmental Protection on H.B. No. 2203**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in the construction of a net zero carbon capture storage utilization platform that will recover vented carbon dioxide emissions and scrub them into food grade liquid carbon dioxide.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands; Hawaii State Energy Office; DIBSHawaii LLC; Ohana Hui Ventures, Inc.; 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 Budget and Finance.

Your Committee finds that carbon dioxide has many commercial uses in the State, such as for carbonated beverages, agricultural technology, water treatment, and surface cleaning. This measure supports a variety of initiatives that benefit the State, including capturing carbon dioxide that would otherwise be released into the atmosphere, reducing reliance on out-of-state materials for local application, and promoting import substitution and economic diversification.

Your Committee has amended this measure by:

- (1) Changing the amount of special purpose revenue bonds authorized to be issued by the Director of Finance to an unspecified amount;
- (2) Changing the effective date to July 1, 2100, 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. 2203, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2203, 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. 498-22 Energy & Environmental Protection on H.B. No. 1682**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Next Level Solutions Group Inc., in developing a waste-to-energy facility.

Your Committee received testimony in support of this measure from the Next Level Solutions Group Inc.; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that developing waste-to-energy technology in the State will help to mitigate the effects of climate change by reducing the amount of waste that enters Hawaii's landfills.

Your Committee has amended this measure by changing the effective date to July 1, 2100, 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. 1682, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1682, 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. 499-22 Energy & Environmental Protection on H.B. No. 1937**

The purpose of this measure is to require and appropriate funds for the Hawaii Natural Energy Institute to conduct a study to examine the State's ability to advance hydrogen production from local renewable energy resources and develop the Hawaii Hydrogen Strategic Plan utilizing the results of its study, including submitting periodic reports to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii Bioeconomy Trade Organization, Servco Pacific Inc., Hawaii Center for Advanced Transportation Technologies, Ulupono Initiative, Alliance for Automotive Innovation, Hawai'i Gas, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawai'i Natural Energy Institute, Hawaii State Energy Office, Life of the Land, and one individual.

Your Committee finds that as the State strives to reach its renewable energy goals, it is critical to fully evaluate the potential for hydrogen to contribute to Hawaii's energy needs. Global research and development show significant progress in understanding and establishing hydrogen as a clean and reliable fuel source. This measure supports further study into the impact that hydrogen could have to reduce the State's dependence on imported fossil fuels.

Your Committee has amended this measure by:

- (1) Clarifying the provisions of the study to be conducted by the Hawaii Natural Energy Institute to examine the potential for the production and use of renewable hydrogen in the State and the potential role of renewable hydrogen in achieving a local, affordable, reliable, and decarbonized energy system and economy, including delaying the deadline for submitting a report on the study by one year;
- (2) Specifying that the results of the study shall be used to inform energy planning, which may include a Hawaii Hydrogen Strategic Plan; decarbonization efforts; and other ongoing work being undertaken by the Hawaii State Energy Office;
- (3) Inserting a definition for "renewable hydrogen";
- (4) Deleting language that would have required and appropriated funds for the Hawaii Natural Energy Institute to develop the Hawaii Hydrogen Strategic Plan, including periodic updates and reports to the Legislature;
- (5) Including gas utilities as entities that the Hawaii Natural Energy Institute shall consult in conducting its study;
- (6) Changing the effective date to July 1, 2100, 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 H.B. No. 1937, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1937, 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. 500-22 Water & Land on H.B. No. 1658**

The purpose of this measure is to adopt a recommendation from the Act 90 Working Group to authorize the Department of Agriculture, prior to any transfer of certain qualifying non-agricultural park lands, to request from the Department of Land and Natural Resources any information related to the establishment of easements by necessity upon the lands.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Local Food Coalition; and Hawai'i Farm Bureau. Your Committee received testimony in opposition to this measure from Kapapala Ranch. Your Committee received comments on this measure from the Land Use Research Foundation of Hawaii.

Your Committee finds that this measure is intended in part to facilitate 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 (Act 90), where both agencies have agreed to the transfer but the lack of a documented easement across the land impedes the transfer. Your Committee further finds that this measure offers another tool to promote the land transfer process under Act 90.

Your Committee has amended this measure by:

- (1) Clarifying that the easements about which the Department of Agriculture may request information from the Department of Land and Natural Resources, prior to any transfer of certain qualifying non-agricultural park lands, are not easements by necessity but rather necessary and reasonable easements;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1658, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1658, 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 (Kong, Ohno, McDermott).

#### **SCRep. 501-22 Water & Land on H.B. No. 1659**

The purpose of this measure is to authorize the Board of Land and Natural Resources to:

- (1) Amend and extend existing pasture leases for up to sixty-five years;
- (2) Issue new pasture leases by negotiation, if doing so furthers public purposes and the lands are already under pastoral use; and
- (3) Develop agricultural and pasture lease rents based on the value of the land's agricultural uses.

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 Kapapala Ranch. Your Committee received comments on this measure from the Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; and Hawai'i Farm Bureau.

Your Committee finds that Act 90, Session Laws of Hawaii 2003 (Act 90), provided for the transfer of certain non-agricultural park lands from the Department of Land and Natural Resources to the Department of Agriculture. Since the enactment of Act 90, the Department of Land and Natural Resources has transferred over nineteen thousand acres to the Department of Agriculture. However, certain pasture lands serve multiple purposes and are a critical part of the Department of Land and Natural Resources' forest protection and restoration responsibilities, in addition to other recreational responsibilities, and remain under the jurisdiction of the Department of Land and Natural Resources. This measure is intended to provide the Board of Land and Natural Resources with additional authority to work with ranchers on mutually beneficial terms to promote public priorities on multiple-use lands.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1659, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1659, 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 (Kong, Ohno, McDermott).

#### **SCRep. 502-22 Water & Land on H.B. No. 1768**

The purpose of this measure is to exempt the instream use of water for traditional and customary kalo cultivation practices from the existing process for disposition of water rights.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Department of Hawaiian Home Lands; Office of the Mayor of the County of Kaua'i; Department of Planning of the County of Kaua'i; one member of the Kaua'i County Council; one member of the Hawai'i County Council; Sierra Club of Hawai'i; Kua'āina Ulu 'Auamo; Wai'oli Valley Taro Hui; Hanalei Watershed Hui; Aloha 'Āina Legal Group, LLC; Papa Ola Lōkahi; 'Ahahui o nā Kauka; Hawai'i Alliance for Progressive Action; and numerous individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that kalo is integral to the Hawaiian culture and a staple of the traditional Hawaiian diet. Water and water rights are critical especially for wetland kalo cultivation. This measure provides support for traditional and customary kalo cultivation practices by exempting the instream use of water for these practices from the existing process for disposition of water rights.

Your Committee has amended this measure by:

- (1) Also exempting the instream use of water for commercial kalo cultivation conducted in a manner consistent with traditional and customary Native Hawaiian practices from the existing process for disposition of water rights; and
- (2) Making technical, 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. 1768, 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. 1768, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Kong, Ohno, McDermott).

#### **SCRep. 503-22 Water & Land on H.B. No. 1657**

The purpose of this measure is to require, as a condition precedent for any valid withdrawal of lands out of pasture leases for reforestation purposes, that the Division of Forestry and Wildlife submit a funded action plan detailing the planned reforestation process for those lands and that the withdrawal be approved by the Board of Land and Natural Resources.

Your Committee received testimony in opposition to this measure from Kapapala Ranch and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources, Ulupono Initiative, Hawaii Cattlemen's Council, and Hawai'i Farm Bureau.

Your Committee finds that the Act 90 Working Group was established pursuant to Act 139, Session Laws of Hawaii 2021, to determine the process, status, challenges, and potential remedies regarding the transfer of non-agricultural park lands to fulfill the purposes of Act 90, Session Laws of Hawaii 2003. This measure adopts a recommendation from the Act 90 Working Group.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1657, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1657, 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 (Kong, Ohno, McDermott).

#### **SCRep. 504-22 Water & Land on H.B. No. 1660**

The purpose of this measure is to adopt recommendations from the Act 90 Working Group regarding agricultural multi-use lands. Specifically, this measure:

- (1) Specifies that agricultural multi-use lands under the management of the Department of Land and Natural Resources are not subject to transfer to and management by the Department of Agriculture;
- (2) Requires the Board of Land and Natural Resources to revise the Board's land classifications to include agricultural multi-use lands; and
- (3) Establishes and funds an Agricultural Multi-Use Lands Specialist position within the Land Division of the Department of Land and Natural Resources to facilitate collaborative working relationships and leverage funding sources to support natural land stewardship, reforestation, and other public purposes on agricultural multi-use lands.

Your Committee received testimony in opposition to this measure from Ulupono Initiative; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council, Inc.; Kapapala Ranch; Local Food Coalition; Hawai'i Farm Bureau; Ponoholo Ranch Limited; Hawaii Meats; Hawaii Sustainable Beef; and four 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 Act 139, Session Laws of Hawaii 2021, established the Act 90 Working Group to determine the process, status, challenges, and potential remedies regarding the transfer of non-agricultural park lands to fulfill the purposes of Act 90. The Act 90 Working Group determined that certain agricultural lands under the Department of Land and Natural Resources have multiple management objectives that clearly fall within the Department of Land and Natural Resources' purview and mission and that these multi-use lands should remain under the management of the Department. The Working Group also found that collaborative working relationships between the Department of Land and Natural Resources, Department of Agriculture, and lessees of multi-use agricultural lands can have many public value benefits, including food production, conservation, and natural resources management.

Your Committee has amended this measure by:

- (1) Placing the Agricultural Multi-Use Lands Specialist in the Division of Forestry and Wildlife, rather than the Land Division, of the Department of Land and Natural Resources;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1660, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1660, 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 (Kong, Ohno, McDermott).

#### **SCRep. 505-22 Judiciary & Hawaiian Affairs on H.B. No. 2109**

The purpose of this measure is to align the regulatory structure for the practices of barbering and cosmetology by consolidating the existing statutory framework under a new chapter and to:

- (1) Update definitions and other provisions to accommodate the needs of the industries and the public;
- (2) Increase penalties and fine amounts for unlicensed activity and license violations; and
- (3) Remove the medical clearance requirement for licensees.

Your Committee received testimony in support of this measure from the Board of Barbering and Cosmetology.

Your Committee finds that the Board of Barbering and Cosmetology (Board) is responsible for administering the State's barbering and cosmetology licensing laws. Your Committee further finds that there are inconsistencies between the two licensing laws, which makes the regulation of those respective professions unduly complex. To remedy these inconsistencies, this measure combines the regulation of the two professions under one regulatory framework and updates various provisions to better accommodate the existing needs and practices of the Board and industries, while continuing to protect consumers.

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. 2109, 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. 2109, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 506-22 Judiciary & Hawaiian Affairs on H.B. No. 2336**

The purpose of this measure is to:

- (1) Clarify certain provisions in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the Photo Red Light Imaging Detector Systems Program; and
- (2) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for changes in fiscal needs based on the current timetable of the Photo Red Light Imaging Detector Systems Program.

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, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure clarifies various statutes related to the Red Light Imaging Detector Systems pilot program and adjusts funding and applicable dates to correlate with the pilot program's current timeline.

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. 2336, 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. 2336, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 507-22 Judiciary & Hawaiian Affairs on H.B. No. 2491**

The purpose of this measure is to require:

- (1) Hawaiian names or words in public acts and transactions to be consistent with Hawaiian spelling and punctuation;
- (2) All letterheads, documents, and state highway signs prepared by or for state or county agencies or officials that include Hawaiian names and words to use Hawaiian names, words, spelling, and punctuation consistently;



- (3) All emblems and symbols representative of the State and its departments, agencies, and political subdivisions and state highway signs to use the Hawaiian language;
- (4) Official letterhead stationery and websites of designated state officials to include the Hawaiian translation of the office's or department's name; and
- (5) The University of Hawaii to compile a full list of all dialects and other variations of the Hawaiian language currently in use and submit a report of its findings to the Legislature.

Your Committee received testimony in support of this measure from the Department of Transportation, University of Hawai'i at Hilo, Hawai'i Civil Rights Commission, Center for Hawaiian Sovereignty Studies, and two individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development and two individuals.

Your Committee recognizes that the Hawaii State Constitution establishes English and Hawaiian as the official languages of the State. Language is intrinsic to culture and identity. Therefore, it is important for the State to establish a standard for the spelling and punctuation of Hawaiian names and words for the purposes of consistency and uniformity.

Your Committee has amended this measure by:

- (1) Deleting language that required:
  - (A) Hawaiian names or words in public acts and transactions to be consistent with Hawaiian spelling and punctuation;
  - (B) Documents, except letterheads, and state highway signs prepared by or for state or county agencies or officials that include Hawaiian names and words to use Hawaiian names, words, spelling, and punctuation consistently; and
  - (C) All emblems and symbols representative of the State and its departments, agencies, and political subdivisions, and state highway signs to use the Hawaiian language; and
- (2) Making technical, 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. 2491, 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. 2491, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 508-22 Judiciary & Hawaiian Affairs on H.B. No. 1686**

The purpose of this measure is to require the Director of Transportation to establish and implement a digital identification pilot program for the issuance of digital identification, which includes a driver's license and government-issued identification card issued in a digital format.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Tourism Authority, Office of Enterprise Technology Services, and NEC Corporation of America.

Your Committee finds that because many transactions in today's society are conducted digitally, the need for digital identification is growing, allowing people to travel, conduct business, and access important financial and health-related information. This measure would establish a digital identification pilot program that could lead to greater efficiency in personal information in the State and allow access to vital services for individuals who struggle with obtaining proof of identification.

As 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. 1686, 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 (LoPresti).

#### **SCRep. 509-22 Judiciary & Hawaiian Affairs on H.B. No. 2449**

The purpose of this measure is to:

- (1) Appropriate funds for additional staff positions in the Hawaii State Archives to assist with its mission and increase public access to historical documents and artifacts;
- (2) Provide funds for the construction of an additional building to address the current and future facilities needs of the Hawaii State Archives;
- (3) Require all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians and submit a report on the inventory; and
- (4) Require the Hawaii State Archives to develop a plan to acquire those documents and submit the plan to the Legislature.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services and Hawaii State Archives. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii State Archives contains records dating from the monarchy to the current legislative session, papers of individuals and organizations, photographs, maps, artifacts, rare books, and collections specializing in Hawaiian history and culture. The Hawaii State Archives Historical Records Branch preserves and provides access to the State's government archives and special collections. This measure provides funds for additional staff positions in the Hawaii State Archives which will enable greater and more efficient public access to documents and records maintained and stored by the Hawaii State Archives.

Should the Committee on Finance deliberate this measure further, your Committee on Judiciary & Hawaiian Affairs respectfully requests it consider appropriating \$720,000 for additional staff positions in the Hawaii State Archives.

As 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. 2449, 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 (LoPresti).

**SCRep. 510-22 Health, Human Services, & Homelessness on H.B. No. 1556**

The purpose of this measure is to establish a refundable blood donation income tax credit to promote blood donations throughout the State.

Your Committee received testimony in support of this measure from The Queen's Health Systems and Blood Bank of Hawaii. 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 State is experiencing a historic blood supply shortage. Your Committee further finds that because of this shortage, the Blood Bank of Hawaii, the sole provider of blood to eighteen civilian hospitals in the State and one on Guam, has been forced to undersupply the State's hospitals, leaving them with between sixty and eight percent of their normal blood supply. This measure addresses the ongoing health crisis by incentivizing blood donations through the creation of a refundable blood donation income tax credit.

Your Committee has amended this measure by:

- (1) Deleting the preamble, other than the narrow purpose statement of this measure;
- (2) Making the tax credit applicable to taxable years beginning after December 31, 2022;
- (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. 1556, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1556, 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, 1 (Ward).

**SCRep. 511-22 Health, Human Services, & Homelessness on H.B. No. 2476**

The purpose of this measure is to allow obligees under an order solely for spousal support to elect to enforce the order pursuant to the State's garnishment laws, rather than through the clerk of the court or the Child Support Enforcement Agency.

Your Committee received testimony in support of this measure from the Health Committee of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that it is in the public interest to make it faster and easier for an obligee to receive spousal support by establishing a mechanism to allow an obligee to elect to enforce an order for spousal support through garnishment, rather than through the clerk of the court.

Your Committee notes the concerns raised by the Department of the Attorney General in its testimony, stating that existing law prohibits the Child Support Enforcement Agency from enforcing an order solely for spousal support and that certain provisions in this measure may incorrectly suggest that spouses or former spouses have the option of enforcing spousal support orders through the Child Support Enforcement Agency.

Your Committee has therefore amended this measure by:

- (1) Deleting references to assignments being made by the Child Support Enforcement Agency or other entity and deleting section 2 of the measure entirely;
- (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. 2476, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2476, 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, 1 (Ward).

**SCRep. 512-22 Health, Human Services, & Homelessness on H.B. No. 1665**

The purpose of this measure is to establish a Core State Behavioral Health Crisis Services System to provide crisis intervention services and crisis care coordination to individuals accessing the 988 Suicide Prevention and Behavioral Health Crisis Hotline from any jurisdiction within the State.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and three 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 Human Services and two individuals.

Your Committee finds that establishing crisis hotline centers to provide crisis intervention services and crisis care coordination to individuals accessing the National Suicide Prevention Lifeline from anywhere in the State is in the best interest of public health.

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. 1665, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1665, 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, 1 (Ward).

**SCRep. 513-22 Health, Human Services, & Homelessness on H.B. No. 2138**

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

Your Committee received testimony in support of this measure from the Department of Human Services, Early Childhood Action Strategy, Parents And Children Together, Neighborhood Place of Kona, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Department of Human Services needs to attract and retain qualified, experienced, and knowledgeable information technology staff to effectively achieve information technology infrastructure modernization and system integration projects, maintain on-going system security and compliance, and meet additional supports required by a distributed telework workforce. Your Committee further finds that Act 81, Session Laws of Hawaii 2019, extended a temporary exemption for certain existing positions in the Office of the Director of the Department of Human Services for three years. This measure ensures a more effective and efficient administration of the Department of Human Services by creating permanent exemptions from civil service requirements for certain positions within the Department.

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. 2138, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2138, 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 (Kapela). Noes, none. Excused, 1 (Ward).

#### **SCRep. 514-22 Health, Human Services, & Homelessness on H.B. No. 2318**

The purpose of this measure is to require psychologists licensed in the State to complete at least three hours of continuing education per licensing biennium on topics relating to cultural diversity, cultural competence, or health equity.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Psychological Association, and two individuals. Your Committee received comments on this measure from the Board of Psychology.

Your Committee finds that Asian Americans, Native Hawaiians, Pacific Islanders, and other persons of color experience disparities in mental health care. Your Committee further finds that an individual's culture can influence the symptomatic expression of mental illness, making cultural competence critical for accurate diagnosis and effective care. This measure ensures members of minority communities receive culturally appropriate mental health care by requiring psychologists licensed in the State to complete at least three hours of continuing education per licensing biennium on topics relating to cultural diversity, cultural competence, or health equity.

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. 2318, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2318, 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, 1 (Ward).

#### **SCRep. 515-22 Health, Human Services, & Homelessness on H.B. No. 1635**

The purpose of this measure is to establish a Rural Health Task Force to prepare and develop solutions and make recommendations on the recruitment and retention of registered nurses in rural areas of East Maui, Molokai, and Lanai.

Your Committee received testimony in support of this measure from one member of the County Council for the County of Maui, Lāna'i Community Health Center, Hana Health, Hawai'i Primary Care Association, Molokai Community Health Center, The Queen's Health Systems, Liberty Dialysis - Hawaii, and Mālama I Ke Ola Health Center. Your Committee received comments on this measure from the Department of Health, Department of Human Services, Hawai'i State Center for Nursing, and Hawai'i - American Nurses Association.

Your Committee finds that there is a vital need for health care workers in rural areas of East Maui, Molokai, and Lanai. Your Committee further finds that nurses provide much of the health care in rural settings. This measure addresses the challenges of providing health care services in the rural areas of East Maui, Molokai, and Lanai by establishing a task force to identify the steps needed to recruit and retain registered nurses in rural areas of these communities.

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. 1635, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1635, 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, 1 (Ward).

#### **SCRep. 516-22 Health, Human Services, & Homelessness on H.B. No. 2437**

The purpose of this measure is to establish an income tax credit for physicians, osteopathic physicians, and nurses who are licensed and actively practicing in the State.

Your Committee received testimony in support of this measure from the Hawai'i - American Nurses Association, Hawaii Nurses Association - OPEIU Local 50, and two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawai'i State Center for Nursing, and Tax Foundation of Hawaii.

Your Committee finds that in Hawaii, health care professionals are in high demand yet low supply, particularly on the neighbor islands and in rural and medically underserved areas. Income tax credits, such as the one proposed by this measure, are a potential solution to improving recruitment and retention of these professionals and may encourage individuals considering leaving the State to stay.

Your Committee has amended this measure by:

- (1) Requiring the Hawaii State Center for Nursing to provide a report to the Legislature on the impact and effectiveness of the tax credit on the health care provider workforce no later than December 31, 2024;
- (2) Inserting a sunset date of December 31, 2025;
- (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. 2437, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2437, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

#### **SCRep. 517-22 Health, Human Services, & Homelessness on H.B. No. 2155**

The purpose of this measure is to increase the marriage license fee to:

- (1) Support the Hawaii Birth Defects Program;
- (2) Fund modernization of the vital statistics system; and
- (3) More fairly compensate marriage license agents.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of Health.

Your Committee finds that the portion of the marriage license fee that supports the Hawaii Birth Defects Program has not increased since 2002. However, since that time the Hawaii Birth Defects Program's salary and fringe expenses have almost doubled and the program will not have enough funding for operating expenses for fiscal year 2022-2023. Your Committee further finds that the current compensation for non-civil service marriage license agents has not changed since 1998 and is no longer enough to meet the operating costs of marriage license agents.

Additionally, your Committee finds that there has been an increased demand for marriage certificates to meet the required federal REAL ID standards for state-issued driver's licenses and identification cards. However, the Vital Statistics Improvement Special Fund is not sufficient to modernize and automate the State's twenty-year-old vital statistics registration system. Your Committee finds that adding revenue from increased marriage license fees will allow necessary upgrades.

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. 2155, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2155, 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, 1 (Ward).

#### **SCRep. 518-22 Health, Human Services, & Homelessness on H.B. No. 2145**

The purpose of this measure is to incorporate the Kupuna Caregivers Program into the Kupuna Care Program.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Hawaii County Office of Aging, County of Kauai Agency on Elderly Affairs, and Alzheimer's Association.

Your Committee finds that the Kupuna Caregivers Program and Kupuna Care Program offer similar services for older adults and their caregivers. Your Committee further finds that combining the two programs will provide an array of seamless services and support to meet the needs of older adults 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. 2145, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2145, 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, 1 (Ward).

#### **SCRep. 519-22 Health, Human Services, & Homelessness on H.B. No. 1623**

The purpose of this measure is to:

- (1) Make the registration and registration renewal of methadone clinics and substance use disorder services clinics as clinics for handling controlled substances contingent upon being located at least seven hundred fifty feet away from specific protected areas; and
- (2) Expand the prohibition on promoting a controlled substance in, on, or near schools, school vehicles, public parks, and public housing projects or complexes to include group child care centers, group child care homes, public recreation centers, and youth services centers.

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 Public Safety, Hābilitat, Hawaii Substance Abuse Coalition, Hawaii Health & Harm Reduction Center, and numerous individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that expanding the areas in which the promotion of a controlled substance is prohibited to include group child care centers, group child care homes, public recreation centers, and youth services centers and prohibiting methadone treatment programs from operating within seven hundred fifty feet of certain protected areas has certain benefits for public health and safety. However, your Committee recognizes the concerns raised in testimony that this measure may inadvertently impact health care clinics, such as veterinary clinics and dental clinics, that administer or dispense controlled substance to patients.

Therefore, your Committee has amended this measure by:

- (1) Deleting the requirement that the registration and registration renewal of clinics for handling controlled substances, including methadone clinics and substance use disorder services clinics, be contingent upon being located at least seven hundred fifty feet away from specific protected areas;
- (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. 1623, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1623, 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 (Kapela). Excused, none.

#### **SCRep. 520-22 Health, Human Services, & Homelessness on H.B. No. 1553**

The purpose of this measure is to remove the ceiling of the Office of Health Care Assurance Special Fund.

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

Your Committee finds that, in response to the COVID-19 pandemic, there is an increased need for public and health care facility education and outreach to ensure appropriate and high-quality health care facility access. Increased expenditure authorization and use of the Office of Health Care Assurance Special Fund will reduce dependence on the general fund and allow the Legislature to allocate limited general revenues for other critically important programs and services.

Your Committee has amended this measure by:

- (1) Deleting most of the preamble;
- (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. 1553, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1553, 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, 1 (Ward).

#### **SCRep. 521-22 Health, Human Services, & Homelessness on H.B. No. 2193**

The purpose of this measure is to address the needs of Hawaii's early child care and education workforce by requiring and appropriating funds for the Department of Human Services to annually collect certain information from all early child care workers and educators in the State through its early childhood registry.

Your Committee received testimony in support of this measure from the Early Childhood Action Strategy, Hawaii Children's Action Network Speaks!, AAUW of Hawaii, Hawaii Association of School Psychologists, and nine individuals. Your Committee received comments on this measure from the Department of Human Services and Executive Office on Early Learning.

Your Committee finds that a strong early child care and education workforce is necessary to support Hawaii's children, working families, and communities. Your Committee further finds that a lack of early child care and education workforce data prevents policymakers from understanding the needs of this workforce, which may then lead to inefficiencies regarding early child care education legislation and programs. This measure provides for the collection of robust data on the early child care workforce and education programs by requiring all staff of licensed and registered child care programs to submit certain information to the Department of Human Services on an annual basis.

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. 2193, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2193, 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, 1 (Ward).

#### **SCRep. 522-22 Health, Human Services, & Homelessness on H.B. No. 1545**

The purpose of this measure is to:

- (1) Direct the Department of Health to adopt rules for the control, prevention, and abatement of noise pollution emitted by excessively loud vehicles in the State; and
- (2) Prohibit the operation or sale of vehicles that emit excessive noise.

Your Committee received testimony in support of this measure from Quieter & Healthier Maui and thirteen individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that studies increasingly detail the environmental health hazard posed by persistent noise pollution. Intentional and excessively loud vehicles are a pervasive and increasingly common problem in the State. However, current efforts to curtail this source of noise pollution have not been successful. This measure accordingly requires the Department of Health to adopt rules and regulate noise from excessively loud vehicles.

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. 1545, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1545, 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, 1 (Ward).

#### **SCRep. 523-22 Health, Human Services, & Homelessness on H.B. No. 2208**

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) Adopt certain procedural requirements prior to the filing of a civil action for childhood sexual abuse or naming of "Doe" defendants; and
- (3) 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 Hawai'i State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, National Association of Social Workers–Hawai'i, Hawaiian Islands Association for Marriage and Family Therapy, Hawai'i Psychological Association, and five individuals. 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, The Sex Abuse Treatment Center, and Talbert Law LLC.

Your Committee finds that there are many reasons children delay disclosing sexual abuse. In the United States, one in five girls and one in twenty boys is a victim of childhood sexual abuse, and studies show that between sixty and eighty percent of survivors withhold disclosure. Of those who delay disclosure until adulthood, the average delay has been found to be approximately twenty years, with some survivors delaying up to fifty years. This measure provides sexual abuse victims with the necessary time and protections when they are ready for disclosure.

Your Committee has amended this measure by:

- (1) Ensuring that a judge, who reviews and makes a decision regarding a certificate of merit in the filing of an action against a defendant, is not the same judge who will be the trier of fact in the resulting action;
- (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. 2208, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2208, 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, 1 (Ward).

#### **SCRep. 524-22 Health, Human Services, & Homelessness on H.B. No. 1754**

The purpose of this measure is to appropriate funds to restore diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Papa Ola Lōkahi, Kaiser Permanente Hawai'i, Hawaii Medical Service Association, AlohaCare, Hawai'i Association of School Psychologists, Hawaii Disability Rights Center, The Queen's Health Systems, UnitedHealthcare, Hawaii Primary Care Association, Easterseals Hawaii, Full Life, Hawaii Dental Service, Hawai'i Section of the American College of Obstetricians and Gynecologists, Hawai'i Health & Harm Reduction Center, Hawaii Association of Health Plans, Early Childhood Action Strategy, AARP Hawai'i, Ho'ola Lahui Hawai'i, Hawaii Dental Association, Hawai'i Public Health Association, Hawaii Children's Action Network Speaks!, Kokua Kalihi Valley Comprehensive Family Services, Hawaii Dental Hygienists' Association, Hawai'i Oral Health Coalition, 'Ohana Health Plan, Save Medicaid Hawaii, Oral Health Progress and Equity Network, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that, in 2009, the State terminated all preventive and restorative dental care services for adult Medicaid recipients and reduced coverage to emergency-only care that is limited to pain relief, injuries, trauma, and tooth removal and extraction. Your Committee further finds that since 2010, the State has received failing grades in three oral health report cards published by the Pew Center on the States. This measure will improve the overall health of the State's Medicaid recipients by restoring diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees.

Your Committee has amended this measure by:

- (1) Deleting the preamble other than the narrow purpose statement of this measure; 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. 1754, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1754, 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, 1 (Ward).

**SCRep. 525-22 Health, Human Services, & Homelessness on H.B. No. 1666**

The purpose of this measure is to create a pilot program to make one or more licensed mental health counselors available to assist county first responders in responding to mental health crises in areas with high rates of homelessness.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Hawaii Substance Abuse Coalition. 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, according to the United States Substance Abuse and Mental Health Services Administration, approximately twenty-five percent of homeless persons in the United States suffer from a severe mental illness. Your Committee further finds that law enforcement officers who are dispatched to respond to a homeless person experiencing a mental health crisis often lack the expertise and resources to adequately help.

Your Committee recognizes that the Adult Mental Health Division of the Department of Health currently administers similar crisis mobile outreach services on the islands of Hawaii, Maui, and Oahu and a continuum of similar services for severely mentally ill adults. Your Committee further recognizes that in October 2021 the City and County of Honolulu launched its Crisis Outreach Response and Engagement program, which is designed to triage and connect homeless individuals to behavioral health and medical services, and collaborates with the Honolulu Emergency Services Department and Honolulu Police Department.

Accordingly, your Committee has amended this measure by:

- (1) Establishing the pilot program in the Adult Mental Health Division of the Department of Health rather than in the Department of Human Services and adjusting the appropriation expending agency accordingly;
- (2) Clarifying that the purpose of the pilot program is to expand existing county programs that make one or more licensed mental health counselors available to assist county first responders in responding to mental health crises in areas in the urban core with high rates of homelessness;
- (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. 1666, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1666, 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, 1 (Ward).

**SCRep. 526-22 Health, Human Services, & Homelessness on H.B. No. 1662**

The purpose of this measure is to establish a statewide homelessness shelter and housing data clearinghouse to be administered by the Governor's Coordinator on Homelessness.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Department of the Prosecuting Attorney of the City and County of Honolulu; The Institute for Human Services, Inc.; 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 there is no coordinated, statewide information system that tracks data related to homelessness. Your Committee further finds that establishing a statewide data clearinghouse to share homelessness information will provide many benefits, including identifying and reporting on gaps where homelessness services, shelter, or housing are required but not available; inform policymakers on where funding may be directed to address those gaps; and provide helpful information to the Hawaii Interagency Council on Homelessness, which was established to advise planning and policy on homelessness issues.

Your Committee has amended this measure by:

- (1) Clarifying that the statewide homelessness shelter and housing data clearinghouse shall pull client-level data from existing databases;
- (2) Specifying that the Governor's Coordinator on Homelessness may consult with other state departments or agencies to address issues relating to data security and client consent concerns in the statewide homelessness shelter and housing data clearinghouse;
- (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. 1662, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1662, 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, 1 (Ward).

**SCRep. 527-22 Health, Human Services, & Homelessness/Housing on H.B. No. 2512**

The purpose of this measure is to:

- (1) Extend the sunset date for the Ohana Zones Pilot Program to June 30, 2026; and
- (2) Appropriate funds for the Ohana Zones Pilot Program.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Department of Human Services; County of Hawai'i Office of Housing and Community Development; Department of Housing and Human Concerns of the County of Maui; Office of Housing of the City and County of Honolulu; Kaua'i County Housing Agency; Partners in Care; Habitat for Humanity Hawaii Island, Inc.; Hawaii Appleseed Center for Law and Economic Justice; Community Alliance Partners; Catholic Charities Hawai'i; Hawai'i Health & Harm Reduction Center; Hope Services Hawai'i; and Women in Need.

Your Committees find that the Ohana Zones Pilot Program provides flexible funding for the State and counties to develop innovative programs reflecting the local needs of specific communities, including rural areas of Hawaii Island and Oahu. Your Committees further find that, as of November 30, 2021, the

Ohana Zones Pilot Program has aided 5,510 homeless individuals statewide, including 1,368 individuals placed into permanent housing. Extending the Ohana Zones Pilot Program will provide additional resources to address increasing levels of homelessness and housing instability statewide.

Your Committees have amended this measure by:

- (1) Expanding the regulatory exemptions for Ohana Zones Pilot Program contracts, similar to those previously included in the Governor's Emergency Homeless Proclamation;
- (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 records of votes of the members of your Committees on Health, Human Services, & Homelessness and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2512, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2512, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Housing: Ayes, 8. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 528-22 Health, Human Services, & Homelessness/Housing on H.B. No. 1744**

The purpose of this measure is to:

- (1) Authorize the issuance of general obligation bond proceeds to the Hawaii Public Housing Authority to begin the development and construction with a qualified developer or operator of permanent supportive housing units to meet the needs of chronically homeless individuals and families in the State; and
- (2) Prioritize competitive federal low-income housing tax credits for the construction of these units.

Your Committees received testimony in support of this measure from the Hawaii Public Housing Authority, Catholic Charities Hawai'i, Partners In Care, and Hawai'i Health and Harm Reduction Center. Your Committees received testimony in opposition to this measure from the State Procurement Office; Stanford Carr Development, LLC; Mutual Housing Association of Hawai'i, Inc.; Ahe Group; Schatz Collaborative LLC; and Hawaii Laborers-Employers Cooperation and Education Trust. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Department of Land and Natural Resources, and Hawaii Housing Finance and Development Corporation.

Your Committees find that chronic homelessness is a form of homelessness distinct from other forms of homelessness and involves an individual with a disability who has been continuously homeless for a year or more or has experienced a least four or more occasions of homelessness over the prior three years that add up to at least twelve months. According to the 2020 Oahu Homeless Point-In-Time Count conducted by Partners In Care, nearly one in four homeless adults were considered chronically homeless. The unaddressed problem of chronic homelessness is a particularly costly problem for Hawaii, and one that places a heavy burden on the State's health care and emergency service systems. Your Committees find that investing in permanent supportive housing is an approach to homelessness that integrates permanent, affordable rental housing with best practice community-based supportive services that allow individuals and households who have serious and long-term disabilities to maintain stable housing in the community.

Your Committees have amended this measure by:

- (1) Expanding the purpose of the supportive housing units to meet the needs of other vulnerable populations, in addition to chronically homeless individuals and their families;
- (2) Permitting the Hawaii Housing Finance and Development Corporation to consider an application for any applicable competitive federal low-income housing tax credits from the Hawaii Public Housing Authority for construction of permanent supportive housing, rather than mandating the Corporation give first priority to the Authority;
- (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 records of votes of the members of your Committees on Health, Human Services, & Homelessness and Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1744, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1744, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Housing: Ayes, 8. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 529-22 Health, Human Services, & Homelessness on H.B. No. 1743**

The purpose of this measure is to define "pools" for the purposes of the Department of Health's authority to adopt rules concerning public health and safety.

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

Your Committee finds that public swimming pools are currently regulated under the Hawaii Administrative Rules, which require established turnover rates and disinfectant residuals to ensure that proper filtering of the water is occurring at all times during use by the public. Your Committee further finds that man-made lagoons and pools, such as the Natatorium, cannot meet these requirements and do not meet nationally recognized definitions of a "public swimming pool". Therefore, alternative public health standards for other public recreational waters, such as beaches, should be applied to these structures instead, particularly if the owner of the structure intends to use the ocean or ocean venue for swimming. This measure clarifies that structures like man-made lagoons and pools do not fall under the regulation of "pools".

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. 1743, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1743, 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, 1 (Ward).

**SCRep. 530-22 Health, Human Services, & Homelessness on H.B. No. 2058**

The purpose of this measure is to appropriate funds to assist the Waianae Coast Comprehensive Health Center in the provision of emergency department and disaster-related response services to residents of the Waianae coast.

Your Committee received testimony in support of this measure from the Waianae Coast Comprehensive Health Center, Hawaii Primary Care Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, and Department of the Attorney General.

Your Committee finds that the Waianae Coast Comprehensive Health Center is the primary medical provider on the Waianae coast and provides a variety of services to the community, including twenty-four hours a day, year-round emergency services. Your Committee further finds that a dependable, multi-year financial commitment by the State to support emergency medical services at the Waianae Coast Comprehensive Health Center is the most effective way to ensure that residents throughout the Waianae coast receive appropriate emergency medical care and that the community is served during a disaster.

Your Committee has amended this measure by:

- (1) Deleting the preamble, other than the narrow purpose statement of this measure;
- (2) Changing the appropriation to a grant under Chapter 42F, Hawaii Revised Statutes, and the amount of the grant 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. 2058, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2058, 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, 1 (Ward).

**SCRep. 531-22 Health, Human Services, & Homelessness on H.B. No. 2340**

The purpose of this measure is to allow the use of post office box address for the purposes of dispensing prescriptions under the Uniform Controlled Substances Act.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawai'i and one individual.

Your Committee finds that permitting post office boxes as an option for prescriptions, provided that the physical location of the post office box is readily accessible, will promote more efficiency and effectiveness in the timely delivery of prescriptions to customers.

Your Committee has amended this measure by:

- (1) Clarifying that when dispensing controlled substances to a post office box, pharmacies may dispense prescriptions to a post office box if the pharmacy has the physical location where the individual resides on file;
- (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 H.B. No. 2340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2340, 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, 1 (Ward).

**SCRep. 532-22 Health, Human Services, & Homelessness on H.B. No. 2141**

The purpose of this measure is to delete or revise outdated or obsolete reporting requirements of the Department of Human Services and Office of Youth Services.

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

Your Committee finds that certain reporting requirements for the Department of Human Services on psychotropic medications, federal financial assistance and health care programs, and certain programs overseen by the Office of Youth Services are no longer necessary, and that updating existing law to remove these requirements will clarify the current state of the law and reduce confusion.

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. 2141, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2141, 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, 1 (Ward).

**SCRep. 533-22 Health, Human Services, & Homelessness on H.B. No. 2392**

The purpose of this measure is to make an emergency appropriation for coronavirus disease 2019 pandemic mitigation efforts.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Medical Service Association, and Hawaii Primary Care Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the SARS-CoV-2 virus, which causes the coronavirus disease 2019 (COVID-19), continues to evolve with time, manifesting new variant strains. Each new variant poses a potential threat of increased transmissibility, increased severity, or decreased ability of available vaccines and therapeutic agents to effectively combat the virus. Your Committee believes that high vaccination coverage throughout the State is the best available tool to mitigate any impact new variants may cause. However, your Committee notes that in order to achieve this, the Department of Health requires logistical support for its continued efforts to prevent the spread of COVID-19. This measure is intended to continue the Department of Health's efforts at addressing the COVID-19 pandemic by providing funds to ensure the safety of Hawaii's residents.

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. 2392, 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, 1 (Ward).

**SCRep. 534-22 Health, Human Services, & Homelessness on H.B. No. 2394**

The purpose of this measure is to appropriate funds to provide one-time enhanced payments to any facility licensed by Medicare that provides skilled nursing or intermediate care to Medicaid patients.

Your Committee received testimony in support of this measure from the Hawaii Health Systems Corporation, East Hawaii Region of the Hawaii Health Systems Corporation, Palolo Chinese Home, The Villas, Garden Isle Rehab & Nursing, Legacy Hilo Rehab & Nursing, Hale Mauka Health Services, Pu'uwai 'O Makaha, Ann Pearl Rehab & Nursing, Healthcare Association of Hawaii, Hawai'i Pacific Health, Kaiser Permanente Hawaii, Aloha Nursing Rehab Centre, Ohana Pacific Health, The Queen's Health Systems, Hale Kūpuna Heritage Home, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that nursing facilities have lost roughly fifteen percent of their entire workforce during the coronavirus disease 2019 pandemic and there has been no recovery of positions over the past two years. While physician offices and outpatient settings are experiencing an increase in employment, nursing homes are experiencing a loss of hundreds of thousands of positions. This measure is intended to assist licensed facilities that provide skilled nursing or intermediate care to Medicaid patients by providing a one-time enhanced payment to each facility, thereby ensuring quality services for the State.

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. 2394, 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, 1 (Ward).

**SCRep. 535-22 Health, Human Services, & Homelessness on H.B. No. 2391**

The purpose of this measure is to establish an Early Lung Cancer Screening Task Force to research what steps and resources are necessary to increase early lung cancer screening in Hawaii.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i Cancer Center, John A. Burns School of Medicine at the University of Hawai'i at Manoa, Hawaii Medical Association, American Lung Association, Hawaii Primary Care Association, Hawai'i Public Health Association, Hawai'i Public Health Institute, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Human Services, and State Procurement Office.

Your Committee finds that lung cancer is the leading cause of cancer deaths in men and women in the United States. Your Committee further finds that Hawaii is last in the nation for early diagnosis of lung cancer. This measure promotes greater cancer screening and prevention efforts in the State by creating an Early Lung Cancer Screening Task Force to identify the steps and resources necessary to increase early lung cancer screening in Hawaii.

Your Committee has amended this measure by:

- (1) Deleting the preamble, other than the narrow purpose statement of 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. 2391, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2391, 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, 1 (Ward).

**SCRep. 536-22 Health, Human Services, & Homelessness on H.B. No. 1794**

The purpose of this measure is to require the Department of Health to:

- (1) By January 1, 2024, implement standardized quality metrics to track and address health care processes or outcomes applicable to improving the quality of care and targeting improvements in outcomes for patients having opioid use disorders;
- (2) Implement value-based purchasing based on the standardized quality metrics by July 1, 2024, to be applicable to all state purchases of health and human services entered into after July 1, 2024;
- (3) Collect data from health service providers on levels of opioid prescriptions, use of opioids in health care settings, and patient interactions for opioid use disorders;
- (4) Annually report to the Legislature on the compiled data and any updates on the implementation of value-based purchasing; and
- (5) Establish a working group to determine major shifts in operations and clinical models that substance use disorder treatment providers need to make before adjusting to efforts to incentivize new demands for higher quality care.

Your Committee received comments on this measure from the Department of Health and Hawaii Psychiatric Medical Association.

Your Committee finds that this measure seeks to improve the quality of health care to patients with opioid use disorders by requiring the Department of Health to develop measurement tools and collect data that correlates payments to providers with measures of quality of care and outcomes delivered. Your

Committee, however, recognizes the concerns of the Department of Health that the deadlines presented do not provide sufficient time to complete the requirements under this measure.

Accordingly, your Committee has amended this measure by:

- (1) Delaying by six months the date by which the Department of Health shall develop and implement standardized quality metrics to track and address the required health care processes and outcomes; and
- (2) Delaying by six months the date by which the Department of Health shall implement value-based purchasing based on those standardized quality metrics.

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. 1794, 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. 1794, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

#### **SCRep. 537-22 Consumer Protection & Commerce on H.B. No. 1619**

The purpose of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, American Property Casualty Insurance Association, and GEICO. Your Committee received testimony in opposition to this measure from Avail. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Turo Inc., Getaround, and Hawaii Association for Justice.

Your Committee finds that peer-to-peer car sharing allows for vehicle owners to share their vehicles with others through online platforms. Your Committee further finds that with the growing popularity of peer-to-peer car sharing programs comes an increased concern that drivers and passengers using these car-sharing programs must be adequately covered by insurance. This measure will establish mandatory insurance coverage requirements specifically for peer-to-peer car-sharing programs to provide the public with greater protection.

Your Committee has amended this measure by:

- (1) Clarifying the required insurance coverage during a car-sharing period; and
- (2) Making technical, 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. 1619, 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. 1619, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 538-22 Consumer Protection & Commerce on H.B. No. 1667**

The purpose of this measure is to:

- (1) Clarify that a pharmacist-in-charge of a pharmacy may sign off on applications to perform Clinical Laboratory Improvement Amendments waived tests; and
- (2) Clarify that pharmacists may order and perform all Clinical Laboratory Improvement Amendments waived tests that are approved or authorized by the United States Food and Drug Administration.

Your Committee received testimony in support of this measure from Walgreen Co., CVS Health, Hawaii-American Nurses Association, and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Health and one individual. Your Committee received comments on this measure from the Board of Pharmacy and Hawai'i State Center for Nursing.

Your Committee finds that despite the existing authority for pharmacists to perform assessment procedures, under existing Department of Health regulations, pharmacies that perform Clinical Laboratory Improvement Amendments waived tests are required to partner with a clinical laboratory director to sign off on the application to perform the tests. This requirement places Hawaii in a minority of states that still require a laboratory director to sign off on Clinical Laboratory Improvement Amendments waiver applications.

Your Committee further finds that the coronavirus disease 2019 pandemic has highlighted the need to address health care accessibility and streamline unnecessary administrative regulation. This measure supports that goal.

Your Committee has amended this measure by changing the examples under the definition of "clinical laboratory director" to clarify that either the first or second health care professional, and not both, are necessary to qualify as a clinical laboratory director.

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. 1667, 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. 1667, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 539-22 Consumer Protection & Commerce on H.B. No. 1517**

The purpose of this measure is to support Hawaii's coffee growers by:

- (1) Requiring disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (2) Making it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent;
- (3) Prohibiting use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown and processed in Hawaii; and
- (4) Appropriating funds for the Pesticide Subsidy Program.

Your Committee received testimony in support of this measure from three members of the Hawaii County Council, Big Island Invasive Species Committee, Konaloha Farms, Hawaii Farmers Union United, Kona Coffee Farmers Association, Mulkern Landscaping & Nursery, LavaRock Farm, Hawaii's Thousand Friends, Rancho Aloha, Hawaii Coffee Association, Life of the Land, Lions Gate Farms, Synergistic Hawaii Agriculture Council, Greenwell Farms Inc., and numerous individuals. Your Committee received testimony in opposition to this measure from the Kona Coffee Council, Hawaii Coffee Company, Hawaii Restaurant Association, and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and one individual.

Your Committee finds that this measure provides a mechanism by which the State's coffee industry can ensure the authenticity of its products and the consumer can rely upon the veracity of labels and advertising identifying the coffee's origin. Through this mechanism, the State can protect one of its most significant agricultural commodities and the growers and roasters who produce the coffee.

Your Committee further finds that funds to ensure coffee content are more appropriately invested in a position to conduct inspections, rather than equipment. Funds should also continue to be appropriated for the ongoing Pesticide Subsidy Program to combat the coffee berry borer.

Accordingly, your Committee has amended this measure by:

- (1) Changing the appropriation for equipment to test coffee content to an appropriation for one full-time equivalent position to conduct inspections; and
- (2) Making technical, 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. 1517, 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. 1517, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har, Kong, Onishi). Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 540-22 Consumer Protection & Commerce on H.B. No. 1640**

The purpose of this measure is to:

- (1) Change the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act;
- (2) Establish electronic device manufacturer recycling goals, including percentage benchmarks for determining a manufacturer's recycling obligations for 2023, 2024, and 2025, and record keeping and reporting requirements for manufacturers and collectors;
- (3) Require collectors to register with the Department of Health, and establish collector record-keeping and reporting requirements;
- (4) Amend and repeal various definitions;
- (5) Expand the recycling and collection requirements of televisions to all electronic devices; and
- (6) Require the Electronic Device Recycling and Recovery Program to include, among other things, a description of the methods for the convenient collection of electronic devices.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawai'i Department of Environmental Management, and one individual. Your Committee received testimony in opposition to this measure from the Consumer Technology Association.

Your Committee finds that this measure will improve the existing Electronic Waste and Television Recycling and Recovery Program by creating recycling goals for all covered electronic device manufacturers, setting convenience requirements for manufacturers' recycling plans, combining the covered electronic device and covered television programs into one comprehensive program, and requiring manufacturers to fully fund their recycling plan.

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. 1640, 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. 1640, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har, Kong, Onishi). Noes, none. Excused, 1 (Morikawa).

#### **SCRep. 541-22 Consumer Protection & Commerce on H.B. No. 1641**

The purpose of this measure is to require 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 distributors and redemption centers for audit.

Your Committee received testimony in support of this measure from the Department of Health and American Beverage Association.

Your Committee finds that the Office of the Auditor conducts a financial and program audit of the Department of Health's Deposit Beverage Container Program every other year. These audits have demonstrated the Program's failure to develop and execute procedures to verify the accuracy and completeness of data used to support claims of the deposit and container fees paid to the Program by the distributors, as well as deposits and handling fees paid to the redemption centers.

In the Auditor's 2019 report to the Legislature, one of the recommendations for the Deposit Beverage Container Program management was to develop a risk-based process to select distributors and redemption center reports submitted to the Program to audit on a periodic basis. Your Committee further finds that this measure follows through on that recommendation.

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. 1641, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1641, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Morikawa).

**SCRep. 542-22 Consumer Protection & Commerce on H.B. No. 1644**

The purpose of this measure is to:

- (1) Beginning December 31, 2024, ban the manufacture, sale, or distribution for sale or use of certain food packaging that contain perfluoroalkyl and polyfluoroalkyl substances; and
- (2) Beginning July 1, 2024, ban the discharge or otherwise use for training purposes, manufacture, sale, or distribution for sale or use of Class B firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances.

Your Committee received testimony in support of this measure from the Surfrider Foundation, Hawaii Reef and Ocean Coalition, Americans for Democratic Action Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Hawaii Restaurant Association, and American Chemistry Council.

Your Committee finds that perfluoroalkyl and polyfluoroalkyl substances are chemicals that have been used in many consumer products since the 1940s. These chemicals accumulate in the human body, and exposure can lead to adverse health outcomes in humans. This measure addresses the numerous environmental, health, and safety concerns related to the use of products containing perfluoroalkyl and polyfluoroalkyl substances by prohibiting the manufacture, sale, and distribution in the State of certain food packaging and firefighting foams that contain these chemicals.

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. 1644, 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, Onishi). Noes, none. Excused, 1 (Morikawa).

**SCRep. 543-22 Consumer Protection & Commerce on H.B. No. 1645**

The purpose of this measure is to prohibit lodging establishments from providing small plastic bottles containing personal care products within sleeping room accommodations, any space within sleeping room accommodations, or bathrooms used by the public or guests.

Your Committee received testimony in support of this measure from the Hawaii Reef and Ocean Coalition, Surfrider Foundation, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Hawaii Tourism Authority, Maui Hotel & Lodging Association, and Maui Chamber of Commerce.

Your Committee finds that the use of complimentary single-use toiletries in hotels and other lodging establishments contributes to plastic waste locally and globally. In response, states like California and New York have recently passed laws that prohibit hotels, bed and breakfast homes, and short-term vacation rentals from providing single-use toiletries. This measure is an important step towards eliminating unnecessary single-use plastics and improving the sustainability of the hospitality industry 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. 1645, 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). Noes, none. Excused, 1 (Morikawa).

**SCRep. 544-22 Consumer Protection & Commerce on H.B. No. 1840**

The purpose of this measure is to:

- (1) Authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres but equal to or less than fifty acres according to a process to be determined by each county and subject to certain conditions, including the condition that the district boundary amendment is necessary to produce housing, sixty percent of which shall be reserved for occupants whose incomes do not exceed eighty percent of the area median income; and
- (2) Prohibit the subdivision of such lands into two or more parcels to be reclassified within a ten-year period from the date of the subdivision.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, County of Maui Office of the Mayor, one member of the Maui County Council, Department of Planning and Permitting of the City and County of Honolulu, Department of Planning of the County of Maui, County of Hawaii Planning Department, Hawaii Association of REALTORS, and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the Land Use Commission, Sierra Club of Hawaii, and Hawaii Farm Bureau. Your Committee received comments on this measure from the Department of Agriculture and Grassroot Institute of Hawaii.

Your Committee finds that the counties are responsible for determining district boundary amendments involving land areas of fifteen acres or less and not within the conservation district. Your Committee further finds that district boundary amendments involving lands in the conservation district, land areas greater than fifteen acres, and lands delineated as important agricultural lands are processed by the Land Use Commission through a quasi-judicial process. Your Committee believes that a change to this system of district boundary amendment approvals for certain larger parcels of land will provide the counties with greater flexibility to meet the needs of their communities while also requiring the counties to consider broader, secondary impacts, including impacts on state and county infrastructure, and opportunities to provide housing.

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. 1840, 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, Kong). Noes, none. Excused, 1 (Morikawa).

**SCRep. 545-22 Consumer Protection & Commerce on H.B. No. 1434**

The purpose of this measure is to authorize the counties, after adoption of an ordinance establishing a power of sale, to sell private property that has failed to comply with public nuisance ordinances after all notices, orders, and appeal proceedings are exhausted and use the revenues to satisfy unpaid civil fines related to a property subject to a recorded lien.

Your Committee received testimony in support of this measure from the Department of Planning and Permitting of the City and County of Honolulu and four members of the Honolulu City Council.

Your Committee finds that by authorizing the counties to collect on liens filed on properties through a non-judicial foreclosure process, this measure provides some leverage over landowners to comply or lose their property. If the property owner fails to comply and the property is foreclosed upon, this measure

enables the property to be put to productive use, allows liens attached to the property to be satisfied, and stops the accrual of additional debt or taxes on the property.

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. 1434, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1434, 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, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 546-22 Consumer Protection & Commerce on H.B. No. 1568**

The purpose of this measure is to amend the law that requires all state departments to ensure that a certain percentage of food that is purchased is locally grown and consists of fresh local agricultural products or local value-added, processed, agricultural, or food products, to:

- (1) Apply only to the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System for food purchased for public schools, youth campuses, public hospitals, public prisons, and University of Hawaii facilities;
- (2) Clarify that these purchasing requirements do not encompass departmental or university staff travel expenses, office staff procurement, and other staff meals separate from each of the covered state entities' offered meal services or programs; and
- (3) Require each applicable state entity to annually report to the Legislature on its progress toward meeting established benchmarks.

Your Committee received testimony in support of this measure from the Hawaii Primary Care Association; Ulupono Initiative; Hawai'i Farm Bureau; Hawai'i Farm to School Hui; Grow Some Good; Hawaii Cattlemen's Council, Inc.; Mala'ai; and one individual. Your Committee received testimony in opposition to this measure from the Department of Public Safety and one individual. Your Committee received comments on this measure from the Department of Health and University of Hawai'i System.

Your Committee finds that the identified state entities are the ones that purchase some of the greatest amounts of agricultural products for the populations they serve. While this measure may have a significant impact on local businesses and the production and use of local agricultural products, your Committee notes the concerns as to whether there is enough locally grown agricultural products to fulfill the goals established in 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1568, 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. 1568, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Har, Kong, Onishi). Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 547-22 Consumer Protection & Commerce on H.B. No. 1830**

The purpose of this measure is to:

- (1) Save the State the costs of its annual insurance premiums for property and casualty insurance coverage by establishing the State Self-Insurance Against Property and Casualty Risks Special Fund to provide the State with self-insurance coverage against property and casualty risks; and
- (2) Appropriate funds.

Your Committee received comments on this measure from the Department of Budget and Finance and Department of Accounting and General Services.

Your Committee finds that the State currently purchases third-party insurance through its risk management and insurance administration to cover the State's property and casualty risks. Property and casualty insurance provide risk mitigation to minimize the State's loss exposure. Your Committee further finds that the State's property and casualty insurance premium costs are significant and subject to increases. This measure will save the State the cost of its annual insurance premiums for property and casualty risks.

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. 1830, 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 (Aquino, Hashem, Mizuno).

#### **SCRep. 548-22 Consumer Protection & Commerce on H.B. No. 1809**

The purpose of this measure is to establish a renewable fuels production tax credit.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Pacific Biodiesel Technologies, LLC; 350Hawaii.org; Climate Protectors Hawai'i; Hawai'i Gas; Our Revolution Hawaii; Hawaii Clean Power Alliance; Recycle Hawaii and Clean the Pacific; and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, Hawaii Forest Stewards, Life of the Land, Aloha Tree Alliance, and eight individuals.

Your Committee finds that this measure supports the State's goal of achieving one hundred percent renewable energy generation by 2045 by providing a tax incentive for taxpayers to produce renewable fuels. This measure establishes a system for qualifying for, verifying, and managing the tax credit in a transparent manner.

Your Committee has amended this measure by:

- (1) Inserting language to ensure that each taxpayer shall not be eligible for more than a single ten-year credit period; 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. 1809, 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. 1809, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Har). Noes, 1 (Kong). Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 549-22 Consumer Protection & Commerce on H.B. No. 1811**

The purpose of this measure is to:

- (1) Allow for new electric vehicle charging stations having a single port to qualify for a rebate under the Electric Vehicle Charging Stations Rebate Program (Rebate Program);
- (2) Increase flexibility of the Public Utilities Commission to administer the Rebate Program;
- (3) Increase the maximum percentage of Rebate Program appropriations that may be expended for administrative costs; and
- (4) Allow for marketing and outreach expenses to be included within allowable administration costs of the Rebate Program.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Public Utilities Commission, City and County of Honolulu Department of Design and Construction, Ulupono Initiative, Climate Protectors Hawai'i, 350Hawaii.org, KauaiEV, Alliance for Automotive Innovation, Hawaii Automobile Dealers' Association, Hawai'i Energy, Blue Planet Foundation, Hawaii Electric Vehicle Association, Tesla, Our Revolution Hawaii, Retail Merchants of Hawaii, Kaa'i Island Utility Cooperative, and six individuals. Your Committee received comments on this measure from the Practical Policy Institute of Hawaii and Hawai'i Energy.

Your Committee finds that the State has committed to eliminating fossil fuels from the electricity and ground transportation sectors, abiding by the Paris Climate Accord's goal to limit the amount of global warming to less than 1.5 degrees Celsius, and achieving negative carbon emissions for Hawaii by 2045. Your Committee further finds that the number of electric vehicles in the State is rising as more electric vehicles come to market, the operable ranges of electric vehicles increase, and the costs of electric vehicles decrease.

Your Committee believes that, despite the growing interest in electric vehicles among the State's residents, electric vehicle adoption is hampered by the lack of adequate vehicle charging infrastructure. This measure is a critical component of the State's efforts to transition from fossil fuels and achieve a carbon-negative economy by 2045.

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. 1811, 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. 1811, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 550-22 Consumer Protection & Commerce on H.B. No. 2399**

The purpose of this measure is to:

- (1) Establish an Extended Producer Responsibility Program;
- (2) Require certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year;
- (3) Provide for the deposit of fees into an Extended Producer Responsibility Special Fund;
- (4) Provide for the expenditure of monies from the Extended Producer Responsibility Special Fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by fifty percent and eighty percent by a date to be determined by rule; and
- (5) Establish and appropriate funds for one full-time equivalent position for the Extended Producer Responsibility Program.

Your Committee received testimony in support of this measure from the Department of Health, Department of Environmental Management of the County of Hawai'i, Department of Environmental Management of the County of Maui, Department of Public Works of the County of Kaua'i, Life of the Land, Hawai'i Reef and Ocean Coalition, Recycle Hawai'i, 350Hawaii.org, Recycle Hawai'i, Zero Waste Hawai'i Island, Hawai'i Wildlife Fund, Apollo Kauai, Zero Waste Kauai, Our Revolution Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from Island Plastic Bags, Inc.; American Beverage Association; Wine Institute; American Forest & Paper Association; Hawaii Food Industry Association; and Consumer Healthcare Products Association. Your Committee received comments on this measure from the Department of Budget and Finance, American Chemistry Council, Animal Health Institute, and one individual.

Your Committee finds that waste pollution, including plastic pollution, which fouls air, water, and biological systems, has not been adequately addressed by existing recycling programs. This measure seeks to place some of the responsibility for the reduction of packaging waste on entities that produce the goods that generate the waste.

Your Committee further finds that this measure is geared toward establishing a program that is particularly well suited to Hawaii, engages the producers that are best suited to eliminate packaging waste in a fair and balanced way, positions the State to take full advantage of federal funding aimed at reducing waste, and prioritizes reuse strategies. The special fund created by this measure will support countywide needs assessments, packaging reuse programs, and to a lesser extent, other authorized uses.

Your Committee notes the concerns that were raised in testimony regarding whether this measure could exacerbate ongoing global supply chain issues that have impacted Hawaii. Your Committee understands these concerns and believes further discussion on this issue may be warranted.

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. 2399, 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 (Har, Morikawa, Onishi, Matsumoto). Noes, 1 (Kong). Excused, 3 (Aquino, Hashem, Mizuno).

**SCRep. 551-22 Labor & Tourism on H.B. No. 2510**

The purpose of this measure is to help working families by:

- (1) Amending the earned income tax credit by making it refundable;
- (2) Amending the eligibility and amount to claim for the food/excise tax credit;
- (3) Providing for an increase in the minimum wage to \$11.00 per hour beginning January 1, 2023, with an increase of \$1.00 per hour on January 1 of each ensuing year up through and including 2030, as well as for an increase in the tip credit over the same period;
- (4) Amending the household and dependent care tax credit to apply to expenses paid for the care of a qualifying individual, regardless of age, and specifying that a qualified individual is, among other things, a recipient or eligible to be a recipient of Social Security disability insurance; and
- (5) Appropriating funds for an outreach campaign to educate low-wage earners about their withholding options and provide support in completing their withholding forms.

Your Committee received testimony in support of this measure from the Americans for Democratic Action; Hawaii State AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Nurses Association, OPEIU Local 50; and fifteen individuals.

Your Committee received testimony in opposition to this measure from one member of the Maui County Council, Democratic Party of Hawai'i Education Caucus, Pono Hawai'i Initiative, Hawaii Clubhouse Advocacy Coalition, Hawai'i Alliance for Progressive Action, Hawaiian Chip Company, Hawai'i Children's Action Network Speaks!, Democratic Party of Hawaii Labor Caucus, Iron Workers Stabilization Fund, Hawaii Food Manufacturers Association, National Federation of Independent Business, Imua Alliance, IATSE Local 665, Hawai'i County Committee of the Democratic Party of Hawai'i, Society of Human Resource Management Hawaii, and numerous individuals.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations; Department of Budget and Finance; Department of Taxation; Department of Human Services; Chamber of Commerce Hawaii; United Here! Local 5 Hawaii; KoLab Coworking; Hawaii Workers Center; Hawaii Petroleum Marketers Association; League of Women Voters of Hawaii; Save Medicaid Hawaii; Hawai'i Health & Harm Reduction Center; Hawaii Appleseed Center for Law & Economic Justice; Tax Foundation of Hawaii; Grassroot Institute of Hawaii; Community Alliance Partners; Living Wage Hawaii; Free Access Coalition; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Restaurant Association; Retail Merchants of Hawaii; Hawaii Food Industry Association; Hawai'i Lodging & Tourism Association; and numerous individuals.

Your Committee finds that increases to the cost of living in the State, combined with stagnant wages, have contributed to the increase in asset limited, income constrained, and employed households in Hawaii. In addition, the coronavirus disease 2019 pandemic has exacerbated financial hardships for many residents of the State, who are facing challenges making ends meet. Changes to the existing tax structure and minimum wage are needed to help working families succeed.

Your Committee has amended this measure by:

- (1) Incorporating a mechanism to annually adjust the minimum wage and tip credit amount starting January 1, 2031, based on the average of the increases to the statewide median hourly wage for all occupations over the previous three years compiled by the United States Bureau of Labor Statistics;
- (2) With respect to the household and dependent care tax credit, removing the requirement that a qualified individual be a recipient or eligible to be a recipient of Social Security Disability Insurance;
- (3) Increasing the cap on revenues that may be deposited into the Tax Administration Special Fund and authorizing that monies in the fund shall also be used for outreach to educate low-wage earners about withholding options and provide support when completing withholding forms;
- (4) Appropriating funds from the Tax Administration Special Fund, rather than from the general fund, for the required outreach;
- (5) Changing the effective date to December 25, 2040, 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 Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2510, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2510, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 2 (Quinlan, Okimoto). Excused, none.

**SCRep. 552-22 Labor & Tourism on H.B. No. 2440**

The purpose of this measure is to impose a penalty on both the person and firm upon finding certain violations of chapter 104, Hawaii Revised Statutes, governing wages and hours of employees on public work projects.

Your Committee received testimony in support of this measure from the Hawaii Regional Council of Carpenters; Hawaii State AFL-CIO; Hawaii Operating Engineers Local Union No. 3; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and Hawai'i Nurses' Association, OPEIU Local 50. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that state law requires that laborers and mechanics performing on-site construction work for any public work project be paid no less than prevailing wages and keep certain hours, subject to conditions. This requirement and others apply to every contract in excess of \$2,000 for public work projects to which a governmental contracting agency is a party, with limited exceptions.

Your Committee further finds that violations of chapter 104, Hawaii Revised Statutes, result in monetary penalties or suspension against the person or firm found to be in violation. A third violation can result in a suspension from any new work for three years. This measure imposes penalties on both the person and firm, and in this manner, prohibits a contractor or other person from avoiding the suspension by simply forming another company.

Your Committee has amended this measure by:

- (1) Clarifying that a "firm" includes a contractor, corporation, limited liability company, partnership, and limited partnership, as used in sections 104-24 and 104-25, Hawaii Revised Statutes;
- (2) Clarifying that a "person" includes the officers and directors of a corporation, managers and members of a limited liability company, partners, and limited partners, as used in sections 104-24 and 104-25, Hawaii Revised Statutes;
- (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 H.B. No. 2440, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2440, 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. 553-22 Agriculture/Education on H.B. No. 2304**

The purpose of this measure is to appropriate funds to the Department of Education for additional resources to implement the Hawaii Farm to School Program, with the funds specifically to be used for internal systems and controls to meet the State's local food goals in school meals.

Your Committees received testimony in support of this measure from the Hawaii State Teachers Association, Ulupono Initiative, Hawai'i Farm Bureau, Hawai'i Farm to School Hui, Hawaii Cattlemen's Council, Local Food Coalition, Hawai'i Alliance for Progressive Action, Hawai'i Primary Care Association, Hawai'i 'Ulu Producers Cooperative, Grow Some Good, and seven individuals. Your Committees received comments on this measure from the Department of Agriculture, Department of Education, Department of Budget and Finance, Hawaii Appleseed Center for Law & Economic Justice, and one individual.

Your Committees find that the Hawaii Farm to School Program was established in 2015 to improve the health of the State's keiki by encouraging the consumption of fresh, locally grown foods for nutritional content and to promote healthy behaviors at an early age. In 2021, Act 175, Session Laws of Hawaii 2021 (Act 175), was enacted, which moved the Hawaii Farm to School Program from the Department of Agriculture to the Department of Education. Act 175 also established a programmatic goal that by 2030, thirty percent of food served in public schools shall consist of locally sourced products. Your Committees recognize that the Department of Education's implementation of a centralized tracking system is central to the Department of Education's ability to efficiently and effectively track purchases made by schools and implement the Hawaii Farm to School Program. As such, this measure appropriates funds to provide additional resources to the Department of Education to be used specifically to implement internal systems and controls to implement the Hawaii Farm to School Program.

Your Committees have amended this measure by:

- (1) Requiring the Department of Education to submit a report to the Legislature no later than January 1, 2023, that details a plan and timeline for implementing the Hawaii Farm to School Program;
- (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.

Your Committees note that \$1,600,000 is necessary for the initial cost, and \$350,000 is necessary for annual costs, of the Hawaii Farm to School Program.

As affirmed by the records of votes of the members of your Committees on Agriculture and Education that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2304, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2304, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Agriculture: Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Tokioka).

Education: Ayes, 9. Noes, none. Excused, 3 (Ganaden, Ohno, Quinlan).

#### **SCRep. 554-22 Education/Housing on H.B. No. 2250**

The purpose of this measure is to authorize:

- (1) The Department of Education to develop programs to encourage the development of gardens on school property; and
- (2) The Hawaii Community Development Authority to develop programs that provide incentives for the development of gardens in housing projects, communities, and schools.

Your Committees received testimony in support of this measure from the Hawaii Community Development Authority, Hawai'i Farm Bureau, Hawai'i Farm to School Hui, Ka Ohana O Na Pua, Hawaii Youth Food Council, Grow Some Good, and five individuals. Your Committees received comments on this measure from the Department of Education.

Your Committees find that supporting gardening programs in schools, housing projects, and communities will provide interactive, hands-on educational environments for learning about nutrition and obesity prevention while encouraging outdoor recreational opportunities for students and residents.

Your Committees have amended this measure by:

- (1) Broadening the authority of the Hawaii Community Development Authority to develop programs that provide incentives for the development of urban gardening programs by removing specific references to housing projects, communities, and schools;
- (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 Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2250, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2250, 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).

Housing: Ayes, 9. Noes, none. Excused, none.

#### **SCRep. 555-22 Education on H.B. No. 2482**

The purpose of this measure is to:

- (1) Beginning January 1, 2024:
  - (A) Require public schools and public charter schools to have at least one employee trained to administer or assist with the self-administration of seizure rescue medication or electrical stimulation using a vagus nerve stimulator magnet, except under certain circumstances;

- (B) Require all principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials; and
- (C) Require the Department of Education and public charter schools to establish a seizure action plan for every student diagnosed with a seizure disorder and distribute the plan to employees charged with supervising or caring for the student; and
- (2) Appropriate funds to the Department of Education for training of employees to administer or assist with the self-administration of seizure rescue medication at public schools and public charter schools.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Epilepsy Foundation, and ten individuals. Your Committee received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that this measure will ensure that proper seizure first aid is available to students while they are in school helping to keep them safe and minimize disruption to their learning. Your Committee further finds that the Department of Education testified that it already has certain policies and procedures in place that facilitate continuity of care while a student is at school. Per the Department of Education's testimony, this includes students whose chronic health condition involves seizures.

Your Committee has amended this measure by:

- (1) Allowing, rather than requiring:
  - (A) Public schools and public charter schools to have at least one employee trained to administer or assist with the self-administration of seizure rescue medication or electrical stimulation;
  - (B) All principals, guidance counselors, and teachers to perform an annual self-study review of seizure disorder materials; and
  - (C) The establishment of a seizure action plan for every public school student and public charter school student diagnosed with a seizure disorder;
- (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. 2482, 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. 2482, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 556-22     Housing on H.B. No. 1829**

The purpose of this measure is to, for a period of five years:

- (1) Specify that the state bond ceiling be allocated solely to the State and entirely for housing related projects;
- (2) Remove the authorization for counties or issuers to request additional allocations of the state bond ceiling;
- (3) Require counties or issuers that retain their allocation to submit quarterly reports on the status or use of any allocation;
- (4) Require a project to first apply to the county in which the project is located, if the county has a private activity bond issuance program, before applying to the State for the state allocation; and
- (5) Change the dates for reverted or remaining allocations and require certain reverted or remaining allocations to be used for housing related projects.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Catholic Charities Hawai'i. Your Committee received testimony in opposition to this measure from one member of the Maui County Council and Department of Planning and Permitting of the City and County of Honolulu. Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that state law specifies the annual state ceiling of private activity bonds allocated for each calendar year, with fifty percent allocated to the State and the other fifty percent allocated among the counties. According to testimony from the Hawaii Housing Finance and Development Corporation (Corporation), the majority of rental housing projects in the State are financed by the Low-Income Housing Tax Credit Program. The Corporation, which is the only agency authorized to issue Low-Income Housing Tax Credits in the State, awards these tax credits to developers to facilitate the construction and rehabilitation of affordable rentals. However, the Low-Income Housing Tax Credit must be used in conjunction with tax-exempt private activity bonds pursuant to the Internal Revenue Code.

Your Committee notes that while there has been increased demand and interest in the Corporation's financing program as a means to develop affordable housing, there is currently no specific state ceiling allocation to support these developments. It is also your Committee's understanding that the Corporation is only able to receive the bond cap after the State and each county determine there is unused bond cap at the end of the year or the beginning of the following year. This measure establishes a different formula for allocating the state bond ceiling and is critical in order to continue financing the production of affordable rental housing projects in the State.

Your Committee has amended this measure by:

- (1) Allocating the entire allocation of the state bond ceiling to the Hawaii Housing Finance and Development Corporation (Corporation), rather than to the State, to be used for housing related projects;
- (2) Requiring the Corporation, in consultation with the respective counties, to allocate specified percentage amounts for housing related projects in each county;
- (3) Authorizing the Corporation to accumulate each county's annual allocation before assigning the allocation, pursuant to the discretion of the Corporation's Board of Directors;
- (4) Authorizing the Corporation rather than the Department of Budget and Finance, with the approval of the Governor, to assign and reassign the Corporation's allocation to the counties;
- (5) Removing a county's ability to request additional allocations or assign any part of its allocation for a specified calendar year;
- (6) Deleting language that required counties or issuers to submit quarterly reports;
- (7) Deleting language that required projects to first apply to the county where the project was located in certain situations;

- (8) Deleting language that required the State to use reverted allocations for housing related projects and specified conditions for allocations that were carried forward;
- (9) Clarifying that this measure does not affect allocations of the annual state bond ceiling that were authorized but not issued for any project before July 1, 2022;
- (10) Changing the sunset date of this measure to December 31, 2028; and
- (11) Making technical, 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. 1829, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1829, 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 (Aquino, Takumi, McDermott).

#### **SCRep. 557-22 Housing on H.B. No. 1478**

The purpose of this measure is to require sellers of buildings or structures occupied in whole or in part for residential purposes to equip the buildings or structures, upon the sale or transfer of the building or structure, 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 State Fire Council, Maui Fire Department, Honolulu Fire Department, and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that smoke alarms, when properly installed and maintained, play a vital role in reducing fire deaths and injuries. According to the State Fire Council, the currently adopted building code requires new or renovated homes to have smoke alarms in and outside of every bedroom and on every level. Your Committee finds that this measure supports essential early detection of a fire in residential buildings or structures.

Upon consideration, your Committee has amended this measure by:

- (1) Requiring property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether an installed smoke alarm is in accordance with existing building or residential codes, rather than requiring sellers to equip a building or structure with an approved smoke alarm upon a sale or transfer;
- (2) Requiring the State Fire Council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing building or residential codes and post the guide on the State Fire Council's and county fire departments' websites;
- (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. 1478, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1478, 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, 1 (McDermott).

#### **SCRep. 558-22 Housing on H.B. No. 2442**

The purpose of this measure is to update the cost valuations of work on certain privately-owned or privately-controlled buildings, dwellings, or structures for the work to qualify for an exemption from the requirement that plans and specifications for construction projects be prepared by a licensed engineer or architect.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds that making a house accessible, renovating a bathroom, modernizing a kitchen, or other simple renovation projects require a licensed professional engineer or architect to prepare plans for the renovation based on certain cost valuations. The exemption from this requirement is set in statute and based on cost valuations originally established in 1979. Your Committee further finds that these outdated cost valuations have unnecessarily added to the costs of simple home renovations. An update to the cost valuations used to qualify for this exemption is therefore necessary.

Your Committee has amended this measure by:

- (1) Reducing the estimated cost valuation figures by fifty percent; and
- (2) Making technical, 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. 2442, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2442, 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 (Aquino, Takumi, McDermott).

#### **SCRep. 559-22 Economic Development on H.B. No. 2466**

The purpose of this measure is to exempt the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State from the general excise tax.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Food+ Policy Internship, Hawai'i Alliance for Progressive Action, and eight individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of the Attorney General, and Tax Foundation of Hawaii.

Your Committee finds that the high costs of farming is a significant barrier to the expansion of taro production. Your Committee further finds that the traditional practice of taro farming is part of Hawaii's cultural identity and plays a significant role in local food security, as taro is one of the highest yielding

staple starch food crops produced in the State. This measure reduces the tax burden and creates strong economic incentives for new taro farmers and improves the livelihoods of existing taro farmers, while also reducing the cost of taro products for local consumption.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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. 2466, 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. 2466, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 560-22 Economic Development on H.B. No. 1983**

The purpose of this measure is to:

- (1) Establish the State Film Coordinator position in the Department of Business, Economic Development, and Tourism to review, approve, and issue permits to film in the State; and
- (2) Appropriate funds for the establishment of the State Film Coordinator position.

Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; and one individual.

Your Committee finds that the film industry in the State is an active revenue generator that brings in millions of dollars into the State each year. Your Committee believes that establishing a position to act as a liaison between state agencies and the film industry can help attract more film productions to the State, thereby increasing revenues and creating more jobs for residents.

Your Committee has amended this measure by:

- (1) Changing the name of the State Film Coordinator position to the State Film Liaison and clarifying that the position is established within the Creative Industries Division of the Department of Business, Economic Development, and Tourism;
- (2) Clarifying that the duties of the State Film Liaison are to plan, develop, and execute a statewide film industry development strategy for purposes of establishing a collaborative film industry development program;
- (3) Deleting language that would have transferred the consolidated film permitting processing authority from the Department of Business, Economic Development, and Tourism to the State Film Coordinator; 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. 1983, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1983, 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. 561-22 Economic Development on H.B. No. 2228**

The purpose of this measure is to establish the motion picture, digital media, and film infrastructure tax credit.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawai'i System; Screen Actors Guild – American Federation of Television and Radio Artists; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO, CLC Local 665; Blacksand Capital; Island Film Group; Manhattan Beach Studio Group; Rideback; Kapolei 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 State's successful diversification of the economy through the film production industry is currently constrained by the severe lack of physical infrastructure. Your Committee further finds that the Hawaii Film Studio is the only stage complex in the entire State, which can only accommodate one television production at a time and is not fit for any large films. This measure is intended to incentivize the establishment of necessary film related infrastructure to attract more productions to the State, thereby generating more revenue and creating more jobs for residents.

Your Committee notes the testimony of the Department of Taxation before your Committee, expressing strong concerns regarding language in this measure that would allow a taxpayer to set up an empty shell entity with no assets and make a fraudulent misrepresentation with impunity, as the only recourse of the Department under this provision as written would be to pursue an empty shell with no assets.

Accordingly, your Committee has amended this measure by:

- (1) Changing the amount a taxpayer has to invest in a qualified film infrastructure project to qualify for the tax credit to an unspecified amount;
- (2) Changing the amount of the tax credit to an unspecified percentage of the eligible infrastructure costs made by a taxpayer;
- (3) Deleting language that would have limited the remedial powers of the Department of Taxation and Director of Taxation to only seek collection of the amount of the tax credits from the taxpayer that committed fraud or misrepresentation;
- (4) Changing the total amount of the tax credit allowed in any year to an unspecified amount;
- (5) Changing the effective date to October 18, 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2228, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2228, H.D. 1, and be referred to your Committee on Finance.

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

#### **SCRep. 562-22 Economic Development on H.B. No. 1982**

The purpose of this measure is to:

- (1) Require taxpayers claiming the motion picture, digital media, and film production tax credit to withhold payments to loan-out companies;
- (2) Prohibit the defense of erroneous claim for a refund or credit if the claim was generated by a tax credit and set the penalty for such case to ten percent;
- (3) Require a taxpayer claiming the film tax credit to submit a sworn statement and verification review only if qualified production costs exceed \$1,000,000;
- (4) Require the report by the Department of Business, Economic Development, and Tourism to include the dollar amount claimed, name of the company, and name of the qualified production of the taxpayers claiming the film tax credit;
- (5) Require taxpayers for each qualified production to withhold a certain amount and remit that amount to the Department of Taxation; and
- (6) Amend the uses of the Tax Administration Special Fund.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Rideback; and Motion Picture Association - America, Inc. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; Tax Foundation of Hawaii; and one individual.

Your Committee finds that the motion picture, digital media, and film production income tax credit (film tax credit) attracts film productions to Hawaii from all over the world. The film tax credit has brought hundreds of millions of dollars in revenue for the State and created thousands of jobs. The Department of Business, Economic Development, and Tourism reported that in 2021, the film industry brought \$432,000,000 in direct expenditures and created nearly 4,500 jobs in the State. However, your Committee believes that the tax structure of the film tax credit needs to be updated to ensure that the State receives its fair share of tax revenue.

Your Committee has heard the concerns raised in testimony by the Department of Taxation regarding some aspects of this measure that need further clarification. Your Committee concludes that amendments to this measure are necessary to address these concerns.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that every person making payment to a loan-out company and claiming the film tax credit shall deduct and withhold ten percent of all payments made to a loan-out company for services performed in the State;
- (2) Requiring a person making a payment to a loan-out company to file a return with the Department of Taxation no later than thirty calendar days from when the payment was made to the loan-out company;
- (3) Requiring the Department of Taxation to prescribe forms and procedures necessary to administer the withholdings required by this measure;
- (4) Requiring all taxes withheld to be held in trust by the person withholding for the State;
- (5) Clarifying that a person who fails to properly withhold or remit taxes shall be liable for the failure as provided under existing law;
- (6) Authorizing the Director of Taxation to process and impose fees for qualified production applications for the film tax credit and deposit these fees in the Tax Administration Special Fund;
- (7) Deleting language that would have exempted qualified productions with qualified production costs that exceed \$1,000,000 from the requirements to submit a written statement and verification review;
- (8) Clarifying that the person who makes the payment to the loan-out company, rather than each qualified production, shall withhold an amount equal to 4.5 percent of qualified production costs, rather than withholding the general excise tax rate on manufacturing or producing;
- (9) Authorizing the Department of Taxation to establish four full-time equivalent tax auditor positions to examine claims for the film tax credit and other tax expenditures; 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1982, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1982, 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. 563-22 Economic Development on H.B. No. 2470**

The purpose of this measure is to:

- (1) Establish the Director of Business, Economic Development, and Tourism, or the Director's designee, as an ex-officio, voting member of the Hawaii Tourism Authority, Stadium Authority, and School Facilities;
- (2) Transfer the Stadium Authority and School Facilities Authority from the Department of Accounting and General Services and Department of Education, respectively, to the Department of Business, Economic Development, and Tourism;
- (3) Repeal the Stadium Development Special Fund's exemption from the departmental administrative expenses assessment; and
- (4) Increase the amount of general obligation bonds issued for the Stadium Development District.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and University of Hawai'i System. Your Committee received comments on this measure from the Department of Education, Department of Accounting and General Services, Stadium Authority, Hawai'i Tourism Authority, and School Facilities Authority.

Your Committee finds that the effective and efficient development and redevelopment of state lands is an important priority. However, your Committee further finds that expertise with land development is currently spread across various state departments and agencies, which causes discrepancies in the State's plan to efficiently utilize state lands for Hawaii residents. Your Committee notes that the Stadium Authority and School Facilities Authority, both responsible for the development of certain state lands, are currently in the Department of Accounting and General Services and Department of Education, respectively.

Your Committee believes that centralizing the State's land development functions within a single department will better ensure that all state lands are being properly utilized.

Your Committee has amended this measure by:

- (1) Amending the composition of the Stadium Authority by:
  - (A) Increasing the number of members from eleven to thirteen;
  - (B) Specifying that two of the ten appointed members shall represent and be residents of Aiea and west Honolulu, respectively; and
  - (C) Specifying that the Director of the Department of Business, Economic Development, and Tourism; President of the University of Hawaii; and Superintendent of Education, or their designees, shall be ex-officio, non-voting members;
- (2) Changing the effective date to October 18, 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. 2470, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2470, 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. 564-22 Government Reform on H.B. No. 1426**

The purpose of this measure is to:

- (1) Clarify that a person waives the right to a contested case hearing if the person fails to request a contested case hearing within twenty days of receipt of the Campaign Spending Commission's preliminary determination; and
- (2) Allow the Campaign Spending Commission to have an order confirmed as non-appealable 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. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that the proposed amendments in this measure will expedite the administrative process to confirm the Campaign Spending Commission's orders as judgments in the First Circuit Court.

Your Committee notes that there may be instances where a person may not receive proper notification of the preliminary determination of the Campaign Spending Commission and be unable to respond within twenty days to contest such determination and request a contested hearing. Because of this delay, a contested hearing for the preliminary determination may not take place and due process will not be afforded to the person receiving the preliminary determination through the judicial system by way of review. Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to examine this issue.

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 H.B. No. 1426, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1426, 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 (Mizuno).

#### **SCRep. 565-22 Government Reform on H.B. No. 1880**

The purpose of this measure is to require a person to file a statement of information with the Campaign Spending Commission within twenty-four hours of every expenditure for an electioneering communication.

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 eliminating the spending threshold that would trigger the requirement that a person file a statement of information with the Campaign Spending Commission for an electioneering communication further increases transparency and accountability in the elections process.

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 H.B. No. 1880, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1880, 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. 566-22 Government Reform on H.B. No. 1897**

The purpose of this measure is to strengthen the State's Sunshine Law by:

- (1) Requiring all boards subject to the Sunshine Law to livestream meetings and archive and make the recordings of meetings available online;
- (2) Requiring a board to identify each item on its meeting agenda as an item for action or an item for discussion and allow for oral testimony after each agenda item;
- (3) Amending the deadlines and other requirements for the posting or availability of board meeting minutes and packets; and
- (4) Requiring board meeting minutes and packets to be posted online.

Your Committee received testimony in support of this measure from the Civil Beat Law Center for the Public Interest, Common Cause Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority, Office of Information Practices, and one individual. Your Committee received comments on this measure from the Hawaii Tourism Authority, Office of Planning and Sustainable Development, National Federation of the Blind of Hawaii, and one individual.

Your Committee finds that the people hold the ultimate decision-making power in a representative democracy, which can only be accomplished when governmental agencies, boards and commissions, and county councils allow for meaningful public input and collaborate with the public on policymaking and governance. Your Committee further finds that a robust sunshine law is necessary to opening up governmental processes to public scrutiny and participation to achieve the ideals of a representative democracy. This measure will strengthen the Sunshine Law to provide the public with additional oversight of governmental agencies, boards and commissions, and county councils.

Your Committee notes that given the existence of cloud platform technology and other similar technologies that can be used to archive recordings of livestreamed meetings, the capacity and processing of recordings should not be an issue in archiving the recorded meetings.

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 H.B. No. 1897, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1897, 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. 567-22 Government Reform on H.B. No. 2007**

The purpose of this measure is to amend the cash or protest bond amount for parties initiating administrative proceedings for review of certain protest decisions.

Your Committee received testimony in opposition to this measure from the Department of Transportation and Airlines Committee of Hawaii. Your Committee received comments on this measure from the State Procurement Office and General Contractors Association of Hawaii.

Your Committee finds that the ability to challenge an improperly awarded bid for a contract is an important tool to ensure fairness in the procurement process. However, your Committee believes further scrutiny is needed to determine an appropriate cash or protest bond amount to protest decisions that deters frivolous appeals without deterring legitimate bid protests.

Your Committee has accordingly amended this measure by:

- (1) Changing the cash or protest bond amounts to unspecified amounts; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee finds that some protest cap amount is worthy of consideration so that very large and expansive projects with great impact can still be challenged for legitimate means without creating a cost barrier towards contesting them. Your Committee further finds that, according to the agencies and businesses who testified on this measure, there may be a need for some type of a cap to help deter purely frivolous protests as a matter of business practice, which occurs mostly on lower priced contracts. Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it choose to deliberate on this measure, to consider these issues and what the appropriate cash or protest bond amount should be.

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. 2007, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2007, 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. 568-22 Government Reform on H.B. No. 2416**

The purpose of this measure is to:

- (1) Authorize persons to establish a separate campaign-related account to make disbursements for electioneering communications, independent expenditures, or contributions;
- (2) Prohibit a person with a separate campaign related account from making disbursements for electioneering communications, independent expenditures, or contributions from any source other than that account;
- (3) Require the disclosure of the name and address of donors who donate an aggregate of more than \$100 during an election period to a noncandidate committee, with certain exceptions; and
- (4) Require persons who make an expenditure for electioneering communications in an aggregate amount of more than \$1,000 to include in the statement of information filed with the Campaign Spending Commission the name and address of the top five donors based on the last in, first out accounting method.

Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i.

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 limiting its applicability to nonprofit corporations and:

- (1) Deleting language authorizing persons to establish and use a separate campaign-related account;
- (2) Clarifying the definitions of "last in, first out" and "disclosure date";
- (3) Inserting a definition for "nonprofit organization";
- (4) Specifying when nonprofit organizations do not have to include the names and addresses of certain donors in the noncandidate committee report and late contribution report; and
- (5) Requiring a statement of information filed by a nonprofit organization for electioneering communications expenditures to include the name and address of the top three donors, rather than top five donors.

Your Committee received testimony in opposition to the proposed H.D. 1 from the Sierra Club of Hawai'i. Your Committee received comments on the proposed H.D. 1 from the Campaign Spending Commission and Common Cause Hawaii.

Your Committee finds that dark money campaign spending occurs when an organization, such as a section 501(c)(4) nonprofit organization, raises funds through donations, then uses the donations on campaign expenditures without disclosing the identity of the donors in an attempt to influence elections. Your Committee further finds that the State's existing campaign finance laws fail to reveal the true source of dark money campaign spending. Your Committee believes the proposed H.D. 1 will enhance existing campaign spending disclosure requirements to ensure that the true source of campaign spending is disclosed to the electorate.

Your Committee notes that the proposed H.D. 1 is intended to only apply to nonprofit organizations that meet the existing requirements under law for noncandidate committees. Your Committee believes there is a compelling state interest in monitoring these nonprofit organizations to ensure they are not improperly using funds to influence the political process. With that in mind your Committee further notes that the proposed H.D. 1 will not apply to nonprofit organizations that do not engage in campaign-related activities and are not required to register with the Campaign Spending Commission as a noncandidate committee.

Your Committee has further amended the proposed H.D. 1 by:

- (1) Inserting an effective date of July 1, 2112, the proposed H.D. 1 to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments to the proposed H.D. 1 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. 2416, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2416, 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. 569-22 Government Reform on H.B. No. 2504**

The purpose of this measure is to require all state departments and agencies to report the names of entities awarded a contract and the criteria used to select the awardee to the Legislature no later than thirty days before a contract is effectuated.

Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services and State Procurement Office. Your Committee received comments on this measure from the Department of Human Services and Department of Transportation.

Your Committee finds that this measure will increase transparency and accountability in government contracting by providing the Legislature with details on how state contracts are awarded to an entity in a timely manner.

Your Committee has amended this measure by:

- (1) Clarifying that all departments and agencies shall report the names of entities awarded a contract with a total contract value of an unspecified amount to the Legislature; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

While your Committee appreciates the real world fact that to make every state contract applicable to the law proposed by this measure would be unwieldy in execution, your Committee still finds that notification of large scale contracts that have a profound impact should be given to the Legislature at least thirty days before the contract takes effect, to provide greater oversight into these large, expansive contracts.

Should your Committee on Consumer Protection & Commerce choose to deliberate on this measure further, your Committee respectfully requests that it consider \$1,000,000 as the contract value threshold that would trigger a state department or agency to report to the Legislature.

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. 2504, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2504, 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. 570-22 Government Reform on H.B. No. 2474**

The purpose of this measure is to:

- (1) Allow the Campaign Spending Commission to refer a complaint to the Attorney General or county prosecutor for prosecution, in addition to any administrative determination, without the requirement that the Commission believes the respondent has recklessly, knowingly, or intentionally committed a violation;
- (2) Disqualify a person convicted of violating campaign finance criminal prosecution laws from holding elective public office for ten years, rather than four years; and
- (3) Repeal language stipulating that campaign finance criminal prosecution laws do not apply to any person who has paid or agrees to pay fines related to report filing violations and advertisement violations prior to the commencement of the proceedings.

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

Your Committee finds that increasing the disqualification period for a person from holding public elective office if the persons is convicted of a criminal campaign finance violation will deter criminal violations of campaign finance laws. Your Committee further finds that the payment of civil fines for report filing violations and advertisement violations do not foreclose criminal prosecutions of campaign finance law violations, thereby further deterring criminal violations of campaign finance laws.

Your Committee further finds that under existing law, the Campaign Spending Commission is required to either make an administrative determination of a campaign finance violation or refer the complaint for prosecution and wait to commence civil adjudication of the matter until the prosecutor has declined prosecution. Your Committee further finds that this process can result in violation complaints being unresolved for long periods of time.

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 H.B. No. 2474, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2474, 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. 571-22 Government Reform on H.B. No. 1427**

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 laws are important to maintain transparency and fairness in elections. However, candidates who are either unsuccessful or who have been elected to office in a primary election will not appear on the ballot in the general election. Therefore, your Committee finds that filing these preliminary reports between the primary and general elections is unnecessary.

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. 1427 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 (Mizuno).

#### **SCRep. 572-22 Higher Education & Technology on H.B. No. 1711**

The purpose of this measure is to appropriate funds to the College of Tropical Agriculture and Human Resources (CTAHR) at the University of Hawai'i at Mānoa to establish three full-time equivalent (3.0 FTE) positions at the Kauai Research and Extension Station, including one livestock extension agent.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Department of Agriculture; Office of Economic Development of the County of Kauai; Hawai'i Farm Bureau; Ulupono Initiative; Land Use Research Foundation of Hawaii; Ponoholo Ranch Limited; Hawaii Cattlemen's Council, Inc.; Hawaii Crop Improvement Association; Hawaii Floriculture and Nursery Association; and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that CTAHR provides important resources for Hawaii's farmers and ranchers. Your Committee further finds that CTAHR has the ability and expertise to conduct academic research and work with producers to ensure that the research matches the needs on the ground. Moreover, CTAHR extension agents conduct livestock workshops, give presentations, and collect data for the industry.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that should your Committee on Finance deliberate on this measure, that it consider appropriating \$300,000 to CTAHR.

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. 1711, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1711, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 3 (Gates, Ohno, Yamane).

#### **SCRep. 573-22 Higher Education & Technology on H.B. No. 1717**

The purpose of this measure is to appropriate funds to the College of Tropical Agriculture and Human Resources at the University of Hawai'i at Mānoa, to work in collaboration with a University of Hawai'i community college, to establish the foreign agriculture small equipment pilot program to:

- (1) Identify and purchase foreign agricultural technology, including but not limited to small equipment tractors and retrofit engines that will benefit the State's farmers and ranchers and comply with the United States Environmental Protection Agency's emission standards;
- (2) Establish contact with manufacturers of small equipment in Japan and other countries;
- (3) Work with the United States Environmental Protection Agency to identify Environmental Protection Agency standards and compliance requirements for small foreign agricultural equipment;
- (4) Collaborate with agricultural professionals from foreign countries on management practices;
- (5) Bring harvesting, weed management, and field preparation machinery into the State for evaluation;
- (6) Conduct on-farm trials to evaluate the efficacy and applicability to multiple growing systems, such as wetland conventional, organic, and forage crops, statewide; and
- (7) Conduct education and training workshops statewide to update agriculture producers on available technology.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau; Ulupono Initiative; Ponoholo Ranch Limited; Hawaii Cattlemen's Council, Inc.; Hawaii Crop Improvement Association; Hawaii Floriculture and Nursery Association; and three individuals. Your Committee received comments on this measure from the University of Hawai'i System, Department of Agriculture, and Department of Budget and Finance.

Your Committee finds that diversified agriculture in Hawaii could benefit from a small equipment pilot program that would be appropriate for the smaller sizes and unique terrain characteristics of many farms in the State.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee requests that if your Committee on Finance chooses to hear this measure, that the University of Hawai'i System provide a recommended appropriation amount for your Committee on Finance to consider.

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. 1717, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1717, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 574-22 Higher Education & Technology on H.B. No. 1844**

The purpose of this measure is to support a coordinated framework for agriculture education by appropriating funds for one full-time equivalent (1.0 FTE) Agriculture Education Coordinator position at the College of Tropical Agriculture and Human Resources at the University of Hawai'i at Mānoa.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Department of Agriculture; one member of the Hawai'i County Council; Hawai'i Farm Bureau; Hawai'i Cattlemen's Council, Inc.; Local Food Coalition; Hawai'i Farm to School Hui; Hawai'i Youth Food Council; Center for Getting Things Started; Mala'ai; Food + Policy Internship 2022; Hawaii FFA State Association; National FFA Organization; Hawai'i Alliance for Progressive Action; Ka Ohana O Na Pua; Grow Some Good; and ten individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that training the next generation of farmers in Hawaii is of vital importance. Agriculture education can spark awareness of and interest in a career in the evolving diversified agriculture industry in the State. This measure will support agriculture education 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1844, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 1844, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

**SCRep. 575-22 Higher Education & Technology on H.B. No. 2305**

The purpose of this measure is to appropriate funds to the University of Hawai'i for the College of Tropical Agriculture and Human Resources to study diseases affecting the production of ornamental ginger on Oahu and the Neighbor Islands.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Farm Bureau Federation, Hawaii Floriculture and Nursery Association, Hawai'i Farm Bureau, Land Use Research Foundation of Hawaii, Hawaii Crop Improvement Association, East O'ahu County Farm Bureau, Ponoholo Ranch Limited, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that ornamental ginger is a popular plant that is commonly used in tropical landscape designs; however, the commercial production of ornamental ginger has been declining for over a decade on Oahu. Your Committee further finds that red ginger growers in Windward Oahu have recently experienced a further drop in their ornamental red ginger plant production due to a variety of unknown viruses and fungi.

Producers in the affected areas are excavating their lands because they can no longer economically produce ornamental ginger in these areas. Neighboring farmers and off-island customers are concerned about the spread of pathogens. Reports of crop decline that originally started in the Kahaluu area of Oahu have spread to surrounding areas such as Waiahole and Waikane Valley.

Your Committee finds that this measure would help fund more research and prevention protocols through a multi-agency outreach approach to stop these pathogens from spreading further and affecting the profitability and long-term sustainability of the local ornamental and landscape production industries.

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. 2305, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2305, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, none.

**SCRep. 576-22 Higher Education & Technology on H.B. No. 2302**

The purpose of this measure is to appropriate monies to the University of Hawai'i for the continued operation and disaster preparedness outreach efforts of the University of Hawai'i Sea Grant College Program.

Your Committee received testimony in support of this measure from the University of Hawai'i Sea Grant College Program, Hawai'i Emergency Management Agency, Be Ready Manoa, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the University of Hawai'i College Sea Grant Program has been and continues to be an important partner with the Hawaii Emergency Management Agency in preparing disaster-readiness materials for the people of Hawaii. Past projects include the "Homeowner's Handbook to Prepare for Natural Disasters", which was partially funded by grants administered by the Hawaii Emergency Management Agency, as well as other emergency preparedness public outreach efforts. Your Committee further finds that these continued education measures to help Hawaii residents to prepare for, mitigate against, and recover from disasters are vital to the safety and resiliency of the State.

Your Committee respectfully requests that should your Committee on Finance choose to hear this measure, it consider making an appropriation of \$200,000 per year, which was the amount recommended by the University of Hawai'i Sea Grant College Program.

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. 2302, 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. 577-22 Higher Education & Technology on H.B. No. 2118**

The purpose of this measure is to:

- (1) Codify the existing Hawaii State Cybersecurity Program, administered by the Office of Homeland Security in partnership with specified entities, to oversee cybersecurity and cyber resiliency matters;
- (2) Define the scope and objectives of the cybersecurity program to meet present and anticipated cybersecurity threats; and
- (3) Eliminate the Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position.

Your Committee received testimony in support of this measure from the state Department of Defense and Hawaii Office of Homeland Security.

Your Committee finds that this measure provides a comprehensive programmatic approach to strengthening state and county cyber security to address present and future threats to public and private critical infrastructure.

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. 2118, 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. 578-22 Higher Education & Technology on H.B. No. 426**

The purpose of this measure is to require the University of Hawai'i System, including its community colleges, to waive tuition for the dependent children of disabled veterans; active members of the armed forces or members of the National Guard members who were killed in action; or Purple Heart medal recipients, alive or deceased, awarded in 2001 or later, subject to certain requirements.

Your Committee received testimony in support of this measure from the State Office of Veterans Services, Hawaii Military Affairs Council, and five individuals. Your Committee received comments on this measure from the University of Hawai'i System.

Your Committee finds that this measure seeks to offset some of the financial and personal hardships that may be experienced by a dependent child of a service member who was disabled, killed in action, or awarded a Purple Heart medal. Your Committee firmly believes that these hardships should not deprive a child from pursuing a post-secondary education if the child so chooses. Your Committee further finds that the tuition waiver recognizes the sacrifice of the service member and honors the member's service to our nation.

Your Committee notes that although the University of Hawai'i testified that certain federal scholarships and programs are available to the children or spouses of deceased members of the armed forces, this measure broadens eligibility by including the children of service members who may have been wounded in action or who are totally and permanently disabled because of their military service.

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. 426, 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. 579-22 Higher Education & Technology on H.B. No. 2054**

The purpose of this measure is to re-establish and appropriate funds for a two-year Hawaii Office of Naval Research Grant Program.

Your Committee received testimony in support of this measure from the Hawai'i State Energy Office; Hawai'i Technology Development Corporation; Oceanit; Hawai'i Gas; Makai Ocean Engineering, Inc.; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Office of Naval Research Grant Program was established in 2015 to provide matching grants to further strengthen and support Hawaii's local companies that are conducting renewable energy research and development through existing contracts with the United States Department of Defense Office of Naval Research. However, the program was only funded for two years. This measure would re-establish the program, which your Committee believes effectively leverages capital and contributes to economic development that benefits Hawaii.

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. 2054, 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 (Kapela). Noes, none. Excused, none.

#### **SCRep. 580-22 Water & Land on H.B. No. 2417**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to review the final report of the House of Representatives' investigative committee established under House Resolution No. 164, Regular Session of 2021, for the purpose of developing proposed legislation; and
- (2) Appropriate funds for the Department to implement the report's recommendations.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that the Department of Land and Natural Resources testified that it has reviewed the final report, generally agrees with its recommendations, and is working to implement the report's recommendations.

Your Committee has amended this measure by:

- (1) Adding a requirement for the Department of Land and Natural Resources to conduct a policy analysis considering the State's land lease policy;
- (2) Amending a specification of the proposed legislation regarding reversionary interest and the value of improvements;
- (3) Adding exploration of the potential for using a Request for Interest process as a prior condition of all lease dispositions (e.g., auctions, extensions, or direct negotiations) as one of the issues to be addressed by the proposed legislation;
- (4) Expanding the scope of the appropriation to include conducting the policy analysis;
- (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 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. 2417, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2417, 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 (Kong, Ohno, McDermott).

#### **SCRep. 581-22 Water & Land on H.B. No. 1872**

The purpose of this measure is to require the Department of Land and Natural Resources to recognize that:

- (1) Game mammals and game birds provide a food source and play a role in native Hawaiian traditional and customary practices;
- (2) Striking an appropriate balance between the management of game mammal and game bird populations and sustainability of their natural habitats to reduce negative impacts to important watershed areas is a priority; and
- (3) The State's unique relationship with the ocean requires careful consideration and management of land and ocean activities that prioritize the public trust responsibilities of the State.

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 Hawai'i, Hawai'i Forest Industry Association, Hawaii Sportsmen's Alliance, National Wild Turkey Federation, Hawaii Firearms Coalition, DC Project Hawaii, and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that this measure supports the State's efforts to achieve an appropriate balance between the management of game populations and the sustainability of their natural habitats to reduce the adverse effects to important watershed areas, while also recognizing Hawaii's public trust responsibilities to its land and ocean.

Your Committee has amended this measure by:

- (1) Clarifying that game mammals and game birds can provide a sustainable food source that merit high-quality habitats with sufficient food, water, and refuge to support viable populations sufficient for hunting; provided that adverse effects to the environment are sufficiently minimized or offset through native ecosystem protections;
- (2) Clarifying that proper management of game populations in appropriate areas minimizes their impacts and provides benefits but that hunting of introduced, non-native game species may not fall within the scope of traditional and customary Native Hawaiian practices as set forth in the Hawaii State Constitution;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1872, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1872, 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 (Kong, Ohno, McDermott).

#### **SCRep. 582-22 Water & Land on H.B. No. 1827**

The purpose of this measure is to establish the Pulehunui Community Development District on the island of Maui.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of the Attorney General, Department of Land and Natural Resources, and Department of Budget and Finance.

Your Committee finds that public lands in Pulehunui, Maui, are underutilized and that redeveloping, renovating, or improving these public lands for suitable recreational, residential, educational, industrial, governmental, and commercial uses and opportunities is in the best interest of the State.

Your Committee has amended this measure by:

- (1) In order to avoid potential constitutional issues, deleting all amendments pertaining to changes in membership and reassignment of certain duties of the Hawaii Community Development Authority (Authority);
- (2) Establishing the Pulehunui Community Development District Board (Board) to manage the Pulehunui Community Development District, rather than the Authority;
- (3) Granting to the Board the powers granted to the Authority under chapter 206E, Hawaii Revised Statutes;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1827, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1827, 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 (Kong, Ohno, McDermott).

#### **SCRep. 583-22 Water & Land on H.B. No. 2006**

The purpose of this measure is to require, as a condition for an emergency permit for the installation of a sandbag, an attachment to the sandbag that contains certain identifying information.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that temporary sandbags have been authorized by the Board of Land and Natural Resources on a temporary emergency basis to address coastal erosion when there is an imminent threat to public health or safety. Your Committee further finds that many erosion control devices and

structures in the State were not built in compliance with their permit conditions. This measure will ensure that temporary sandbags are installed in compliance with the permit conditions by requiring that certain identifying information be attached to the sandbag, thereby confirming that a permit was acquired to install the sandbag and holding each permittee accountable for the type of device or structure installed.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2006, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2006, 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. 584-22 Water & Land on H.B. No. 2147**

The purpose of this measure is to reinstate the Department of Health's authority to permit federal municipal solid waste landfills.

Your Committee received testimony in support of this measure from the Department of Health and County of Hawai'i Department of Environmental Management.

Your Committee finds that the removal of the Department of Health's authority to permit federal municipal solid waste landfills not only removes regulatory oversight of the design, construction, and operation of federal municipal solid waste landfills, but also creates the loss of an approved municipal solid waste landfill permit program in accordance with federal regulations. The loss of a federal approved program would deny other municipal solid waste landfills in the State, which are currently all owned by the counties, the ability to design, operate, close, and monitor their landfills using alternative designs or methods to the federal standards that could be more suitable for local site conditions and more cost-effective.

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. 2147, 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 (McDermott).

#### **SCRep. 585-22 Water & Land on H.B. No. 2148**

The purpose of this measure is to:

- (1) Add, amend, and reorganize sections in chapter 342D, Hawaii Revised Statutes, to consolidate water quality certification requirements and include wetlands in the definition of "state waters";
- (2) Clarify the Director of Health's responsibility as a water quality certifying agency under federal regulations;
- (3) Increase the maximum statutory civil penalties in section 342D-30, Hawaii Revised Statutes, to match the amounts of federal penalties; and
- (4) Increase the penalty for denying, obstructing, or hampering the entry or inspection by authorized officers or employees of any building, place, or vehicle to match the penalty enacted in section 342B-47(d), Hawaii Revised Statutes.

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

Your Committee finds that the Department of Health protects state waters from surface water pollution through the issuance of permits, variances, and water quality certifications. This measure will provide a framework for the State's certification program to uphold Hawaii's water quality standards and further maintain a sufficient economic deterrence against violations of water pollution control laws.

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. 2148, 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 (McDermott).

#### **SCRep. 586-22 Water & Land on H.B. No. 2134**

The purpose of this measure is to require the counties to provide for the maintenance of infrastructure for any housing development for the Department of Hawaiian Home Lands within sixty days and under certain conditions.

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 Honolulu Board of Water Supply.

Your Committee finds that the counties are uniquely positioned to operate, improve, repair, and maintain infrastructure. Transferring the responsibility to the counties to maintain the infrastructure, under specified conditions, for any housing development of the Department of Hawaiian Home Lands will therefore enable the Department to use its resources to focus its efforts on attending to the maintenance and repairs of existing infrastructure under its authority and meet the needs of its beneficiaries.

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. 2134, 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. 587-22 Consumer Protection & Commerce on H.B. No. 1884**

The purpose of this measure is to:

- (1) Prohibit any person whose driver's license has been administratively revoked or who has been convicted of 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; and
- (2) Prohibit a person from driving for two years if the person is convicted of operating a vehicle under the influence of an intoxicant and cannot have an ignition interlock device installed or is unable to drive during the revocation period.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Smart Start LLC, Mothers Against Drunk Driving Hawaii, Casanova Powell Consulting, Traffic Injury Research Foundation, Responsibility.org, 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 Judiciary and Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that an ignition interlock device prevents a driver from driving if a certain amount of alcohol is detected. Ignition interlock devices are the only technology available to physically prohibit an offender from driving 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 device requirements or extending the period during which the devices must be installed will protect the public from offenders that risk the health and safety of themselves and others while driving under the influence of an intoxicant. This measure ensures that offenders demonstrate that they are responsible before being provided with the full privilege of driving.

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. 1884, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1884, 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 (Har). Noes, none. Excused, none.

#### **SCRep. 588-22 Consumer Protection & Commerce on H.B. No. 2178**

The purpose of this measure is to:

- (1) Require laws that enact, modify, or extend the availability of a tax expenditure to contain specific information, revenue estimates, and analyses before becoming law; and
- (2) Authorize the disclosure of certain tax expenditure information.

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

Your Committee finds that confidence in government is enhanced through decision-making processes that are fair and transparent. This is particularly true in the area of taxation, which can be complex and difficult to navigate for many taxpayers. Yet, taxation is an area that the government has consistently leveraged and utilized to advance certain social and economic policies, usually through the awarding of preferential tax benefits. While the intent of most tax benefits is obvious, some may not be. This measure will ensure that future enactments, modifications, or extensions of tax benefits will state the purposes and anticipated revenue impacts. This measure will also require the disclosure of the identities of persons that avail themselves of such benefits.

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. 2178, 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. 2178, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 589-22 Consumer Protection & Commerce on H.B. No. 1852**

The purpose of this measure is to appropriate funds to the Unemployment Compensation Trust Fund.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received testimony in opposition to this measure from Unite Here! Local 5 Hawaii. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, and Parents And Children Together.

Your Committee finds that the coronavirus disease 2019 pandemic and the associated governmental responses to curtail the spread of the virus have significantly impacted the State's economy and created an unprecedented period of unemployment that rapidly depleted funds within the Unemployment Compensation Trust Fund.

Your Committee further finds that, while the Legislature temporarily froze the employer contribution rate at schedule D for calendar years 2021 and 2022 with the enactment of Act 1, Session Laws of Hawaii 2021, employers may face a significant increase in their employer contribution rate for 2023 and beyond without some intervention. It is estimated that for every \$100,000,000 added to the Trust Fund, the statutory schedule of employer taxes will likely drop one level in the following calendar year. This measure will infuse direly needed funds into the Trust Fund to reduce the employer contribution rate to be imposed on employers in the State for the ensuing calendar 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 H.B. No. 1852, 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. 590-22 Consumer Protection & Commerce on H.B. No. 2158**

The purpose of this measure is to:

- (1) Allow the Director of Labor and Industrial Relations to permit owner-user inspectors in the exclusive employment of owner-user inspection organizations to perform inspections on pressure retaining items; and

- (2) Extend the time for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund from ten years to thirteen years.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaiian Electric Company, and Par Hawaii.

Your Committee finds pressure retaining items retain pressure within a container that is substantially different from the outside pressure. Under existing law, the operation and use of these items are regulated by the Department of Labor and Industrial Relations and are required to be inspected in various circumstances.

Your Committee also finds that the National Board of Boiler and Pressure Vessel Inspectors permits an owner-user inspection organization to establish and maintain an inspection program as long as the organization and inspection program complies with certain requirements. This measure will align existing law with the practice of the National Board of Boiler and Pressure Vessel Inspectors to allow inspections of pressure retaining items by owner-user inspection organizations. This alignment will also augment the Department's ability to inspect and assure the safe operation and use of pressure retaining items in the State. Additionally, this measure will provide additional time for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund, thereby allowing more flexibility to fund boiler and elevator safety operations while maintaining a feasible repayment schedule.

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. 2158, 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. 591-22 Consumer Protection & Commerce on H.B. No. 2159**

The purpose of this measure is to:

- (1) Require workforce development boards to develop written conflict of interest policies that are consistent with federal law;
- (2) Rename the Workforce Development Council as the Hawaii Workforce Development Board and adjust its composition; and
- (3) Clarify that the Director of Labor and Industrial Relations is to appoint and fix the compensation of the Hawaii Workforce Development Board's Executive Director.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations and Workforce Development Council.

Your Committee finds that while the Legislature conformed the composition and duties of the Workforce Development Council with the new governance structure established by the federal Workforce Innovation and Opportunity Act through Act 57, Session Laws of Hawaii 2016, the conflict of interest provisions in the Workforce Innovation and Opportunity Act for state and local workforce development boards were not incorporated into state law. This measure will codify in state law the federal provisions governing conflicts of interest for members of state and local workforce development boards and the renaming of the Council.

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. 2159, 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. 592-22 Consumer Protection & Commerce on H.B. No. 2515**

The purpose of this measure is to require the Department of Health to establish and operate a laboratory capable of testing for diseases, air and water quality issues, and other high complexity testing.

Your Committee received testimony in support of this measure from the Department of Health, Honolulu Board of Water Supply, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the existing state laboratory building is approximately twenty-seven years old. Due to its age, the central heating, ventilation, and air conditioning system is susceptible to periodic failure, which requires that laboratory tests cease until repairs are made.

Your Committee further finds that existing testing demand is substantially greater than the demand the existing state laboratory was envisioned and planned to serve. For example, tests of samples from drivers suspected of operating a vehicle under the influence of an intoxicant and tests of water samples to assure the water is safe for consumption were not considered in the design of the existing facility. Additionally, the scale and manner of infectious disease testing today is much different than what was considered in the design of the existing facility. This measure will ensure that the State is equipped with the facilities necessary to meet the State's existing and foreseeable future testing demands.

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 H.B. No. 2515, 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. 2515, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 593-22 Consumer Protection & Commerce on H.B. No. 2139**

The purpose of this measure is to regulate the process for application screening fees for dwellings made available for rent under the Residential Landlord-Tenant Code.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Hawaii State Council on Developmental Disabilities, and Partners In Care. 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 Commerce and Consumer Affairs and Catholic Charities Hawai'i.

Your Committee finds that rental units serve a vital role in ensuring residents of the State have housing. However, under existing law, prospective tenants are not protected from and are susceptible to being assessed excessively large application fees. These application fees can range from \$50 to \$100, although the actual cost of performing any of the necessary background or credit checks on a prospective tenant range from \$10 to \$25. This measure will curb this unscrupulous practice by requiring unused application fees to be returned to applicants.

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. 2139, 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 (Kong). Noes, none. Excused, none.

#### **SCRep. 594-22 Consumer Protection & Commerce on H.B. No. 1908**

The purpose of this measure is to minimize bid challenges, costs, and delays of public works construction projects for two years by:

- (1) Allowing a bidder of a public works construction project to clarify and correct immaterial or technical issues with subcontractor listings for up to twenty-four hours after the bid submission deadline, in addition to certain time frames allowed by the State Procurement Policy Board;
- (2) Requiring that bids for construction be publicly opened no sooner than twenty-four hours after the bid submission deadline; and
- (3) Defining "immaterial or technical information".

Your Committee received testimony in support of this measure from the Subcontractors Association of Hawaii, General Contractors Association of Hawaii, and Building Industry Association Hawaii. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services; Department of Budget and Fiscal Services 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; and Carpet, Linoleum and Soft Tile Local Union 1926 Market Recovery Trust Fund. Your Committee received comments on this measure from the Department of Transportation, State Procurement Office, and Contractors License Board.

Your Committee finds that the existing requirement under the Hawaii Public Procurement Code that general contractors disclose the subcontractors they intend to use on a project, while serving its purpose, also has the unintended consequence of increasing the number and complexity of construction protests. The State Procurement Office's review of Hawaii procurement laws found that most protests allege technical issues stemming from the subcontractor listing requirement.

Your Committee further finds that issues with the subcontractor listing may be addressed by providing prime contractors with additional time to correct immaterial or technical issues with subcontractor listings. This adjustment would facilitate the Legislature's intent of ensuring that subcontractors are listed properly on the bid submittal and are licensed, while maintaining the integrity of the bid process. This measure seeks to make these adjustments to the bid process for a two-year period, which will allow the State Procurement Office an opportunity to evaluate its effectiveness.

Your Committee notes its appreciation for the discussions and deliberations between the stakeholders representing both general contractors and subcontractors to find an agreeable resolution to the disagreement over bid listing modifications being addressed in this measure, while maintaining the core purpose of the bid listing requirement. As this measure continues through the legislative process, your Committee encourages the parties to continue their efforts to find a resolution that is mutually agreeable and satisfactory for both parties.

Your Committee has amended this measure by:

- (1) Clarifying that the provisions of this measure that allow a bidder to clarify or correct immaterial or technical information do not abrogate or modify the authority of the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs and Contractors License Board to enforce the contractor licensing 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 H.B. No. 1908, 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. 1908, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Har). Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 595-22 Consumer Protection & Commerce on H.B. No. 1980**

The purpose of this measure is to:

- (1) Permit, but not require, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic behavioral health services under certain circumstances; and
- (2) Clarify that telephonic services do not constitute telehealth.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii State Council on Developmental Disabilities, Hawaii Medical Service Association, Hawaii Medical Association, and Hawai'i Family Caregiver Coalition. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Healthcare Association of Hawaii, Hawai'i Pacific Health, Hawai'i Psychological Association, The Hawaiian Islands Association for Marriage and Family Therapy, National Association of Social Workers – Hawai'i, Hawai'i Primary Care Association, AARP Hawai'i, Hawaii Psychiatric Medical Association, The Queen's Health Systems, Kaiser Permanente Hawai'i, and Hawaii Association of Health Plans.

Your Committee finds that during the ongoing coronavirus disease 2019 pandemic, access to in-person health care has been limited. The use of telehealth for many services, and in particular behavioral health services, increased as an acceptable and oftentimes essential alternative. However, rural communities or populations in geographic areas without internet access or infrastructure experienced disparities in digital health options.

In recognition of these disparities, during the pandemic, the Med-QUEST Division increased flexibility to all telephonic services. According to the Department of Human Services, health care professionals and payers have thus far seen relative equivalency in outcomes for in-person, telehealth, and telephonic visits, while acknowledging that safeguards are needed for the continued use of telephonic services. Your Committee further finds that this measure



recognizes the ongoing benefits provided by telephonic behavioral health services when telehealth technology is unavailable, while establishing a baseline to provide some measure of protection to the patient and provider.

Your Committee has amended this measure by:

- (1) Removing an inconsistency to clarify that telephonic behavioral health services may be covered by Medicaid, health insurers, mutual benefit societies, and health maintenance organizations; and
- (2) Making technical, 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. 1980, 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. 1980, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 596-22 Consumer Protection & Commerce on H.B. No. 2110**

The purpose of this measure is to amend the law regarding advance warning of excavations (One Call law) to improve consumer protection, including:

- (1) Narrowing the exemption from the requirements of the One Call law for excavations performed on certain residential property to only those excavations performed by the owner or occupier and less than twelve inches in the ground;
- (2) Clarifying that locators are subject to the requirements of the One Call law; and
- (3) Specifying the situations in which persons have a duty to notify emergency services and operators of hazards and minimize the hazards.

Your Committee received testimony in support of this measure from the Public Utilities Commission; Hawaii Pest Control Association; Hawaii Gas; Hawaiian Electric Company, Inc.; and Hawaiian Telecom. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds in 2004, pursuant to Act 141, Session Laws of Hawaii 2004, the Legislature established the One Call Center to coordinate the location of subsurface installations, including underground utilities. The One Call law requires excavators provide notice to the One Call Center five to twenty-eight days before planned excavations. This notice allows the One Call Center the opportunity to check for pipelines or similar infrastructure where an individual or organization plans to dig, to avoid accidentally colliding with such infrastructure.

However, your Committee further finds that the One Call law exempts excavators operating on one- to two-family residential properties from contracting the One Call Center prior to excavation. As a result, underground utility infrastructure is frequently impacted in residential properties. In 2020, sixty-eight percent of subsurface utility infrastructure impacts occurred on residential property. This exemption creates significant risk for homeowners, contractors, and the surrounding communities. This measure, among other things, will considerably narrow this exemption to minimize the risk of harm to residences.

Your Committee notes that language in this measure would be construed to subject pest control operators to the requirements under the One Call law. However, the Public Utilities Commission has previously held that pest control operators do not pose a level of risk that would require their compliance with the One Call law. Accordingly, pest control operators should be allowed to operate without being subject to the requirements of the One Call law.

Your Committee has amended this measure by:

- (1) Deleting the condition that excavations on residential property must be performed by the owner or occupier to be exempt from the One Call law;
- (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. 2110, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2110, 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. 597-22 Consumer Protection & Commerce on H.B. No. 2088**

The purpose of this measure is to:

- (1) Create the Environmental and Economic Development Revolving Loan Fund under the administration of the Hawaii Green Infrastructure Authority;
- (2) Allow property owners to finance qualifying improvements through a non-ad valorem property assessment; and
- (3) Appropriate funds to provide loans or other financial assistance to eligible property owners.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development & Tourism; Department of Health; Department of Hawaiian Home Lands; Hawaii Green Infrastructure Authority; University of Hawai'i Sea Grant College Program; Hawaii Solar Energy Association; PACENation; Rotary Club Hanalei Bay; Petros PACE Finance; Nuveen Green Capital; WAL: Wastewater Alternatives & Innovations; Hawai'i Reef and Ocean Coalition; and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association and Hawaii Credit Union League. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Department of Commerce and Consumer Affairs, Department of Budget and Fiscal Services of the City and County of Honolulu, and Tax Foundation of Hawaii.

Your Committee finds that residents and businesses in the State have various capital-heavy opportunities to mitigate health, environmental, or energy risks. These include upgrading or converting cesspools to Director of Health-approved wastewater systems, fortifying buildings and structures to withstand wind threats from hurricanes and windstorms, installing clean energy technologies, and many other improvements. Your Committee further finds that alternative methods of financing are necessary to further incentivize these projects that protect the health and safety of the public. This measure can help unlock a new market for commercial banks and other private capital providers to help the State address a number of these critical initiatives.

Your Committee has amended this measure by:

- (1) Clarifying that cesspools may be upgraded or converted to Director of Health-approved wastewater systems, rather than just to septic systems or aerobic treatment units;

- (2) Removing language would have authorized the Hawaii Green Infrastructure Authority to issue revenue bonds;
- (3) Specifying that delinquent liens do not trigger the acceleration of the Property Assessed Financing Assessment Contract;
- (4) Clarifying that the on-bill repayment mechanism can only be used as approved by the Public Utilities Commission under the Green Energy Money Saver On-Bill Program; 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. 2088, 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. 2088, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Kong, Onishi). Noes, none. Excused, none.

#### **SCRep. 598-22 Consumer Protection & Commerce on H.B. No. 2195**

The purpose of this measure is to establish and appropriate funds for a Cesspool Compliance Pilot Grant Project to assist low- and moderate-income property owners and lessees on Hawaiian home lands with the costs of upgrading, converting, or connecting a cesspool.

Your Committee received testimony in support of this measure from the Department of Health, Department of Hawaiian Home Lands, University of Hawai'i System Sea Grant College Program, Kahalu'u Neighborhood Board No. 29, Rotary Club Hanalei Bay, WAI: Wastewater Alternatives & Innovations, Hawai'i Reef and Ocean Coalition, and six individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that cesspools are a major source of pollution to Hawaii's waters. Cesspools discharge untreated sewage, which may reach the groundwater and flow into drinking water sources, streams, and the ocean. Since approximately ninety-five percent of all drinking water in the State comes from groundwater sources, these discharges pose a serious risk of harm to public health and the environment.

Your Committee further finds that the Legislature, through Act 125, Session Laws of Hawaii 2017, mandated the upgrade or conversion of all cesspools in the State to certain wastewater management systems or connection to a sewerage system by 2050. However, the rate of upgrade, conversion, and connection has been underwhelming, and further action is needed to incentivize upgrades, conversions, and connections. This measure establishes the Cesspool Compliance Pilot Grant Project to award grants for the upgrade or conversion of a cesspool to certain wastewater management systems or connection to a sewerage system.

Your Committee has amended this measure by deleting the specific types of wastewater systems a failing cesspool can be upgraded or converted to under the pilot grant project and identifying a Director-approved wastewater system 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. 2195, 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. 2195, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 599-22 Consumer Protection & Commerce on H.B. No. 2090**

The purpose of this measure is to establish a Zero-Emission Vehicle Rebate Program within the Public Utilities Commission to enable low- and moderate-income families greater access to zero-emission vehicles by providing a rebate on the point-of-sale purchase price of qualifying vehicles.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; Hawaii State Energy Office; Public Utilities Commission; Hawaii Climate Change Mitigation and Adaptation Commission; one member of the Hawai'i County Council; Ulupono Initiative; 350Hawaii.org; Climate Protectors Hawai'i; Hawaii Electric Vehicle Association; KauaiEV; Blue Planet Foundation; Hawaiian Electric Company; Alliance for Automotive Innovation; and seven individuals. Your Committee received testimony in opposition to this measure from Hawaii Automobile Dealers' Association and one individual. Your Committee received comments on this measure from Hawai'i Energy.

Your Committee finds that for Hawaii to meet its statutory greenhouse gas sequestration target by 2045, significant reductions in emissions from ground transportation must be made. This includes significant reductions throughout all market segments in the State, including low- to moderate-income households.

Your Committee further finds that neighborhoods with higher percentages of low- to moderate-income households generally have a significantly lower adoption rate of electric vehicles as a percentage of total vehicles in those neighborhoods. The Zero-Emission Vehicle Rebate Program proposed by this measure is intended to provide flexibility for the administrator of the program, including the ability to adjust to the changing needs of low- to moderate-income communities and changes in market conditions.

Your Committee notes and appreciates the Administration's desire for flexibility in the operation of the Zero-Emission Vehicle Rebate Program. However, your Committee is concerned that the lack of specificity in certain provisions of the rebate program may have an unintentional negative impact on the State's motor vehicle dealer industry. Should this measure advance in the legislative process, your Committee believes further deliberations are needed to ensure that the flexibility provided in this measure does not unfairly impact the motor vehicle dealers in the State.

Your Committee has amended this measure by:

- (1) Clarifying that only a new or used light-duty zero-emission vehicle must be purchased from a dealer to be considered a qualifying vehicle, and that neighborhood electric vehicles, zero-emission motorcycles, zero-emission motor scooters, and zero-emission mopeds need not necessarily be purchased from a dealer to be a qualifying vehicle; and
- (2) Making technical, 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. 2090, 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. 2090, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Kong, Morikawa, Onishi). Noes, none. Excused, none.

**SCRep. 600-22 Consumer Protection & Commerce on H.B. No. 2469**

The purpose of this measure is to:

- (1) Establish an Unemployment Compensation Insolvency Special Fund to be expended solely to resolve an Unemployment Compensation Trust Fund insolvency emergency declared by the Governor;
- (2) Allow the Governor to declare an Unemployment Compensation Trust Fund insolvency emergency and to expend monies from the special fund if the Director of Finance determines that the trust fund balance is insufficient to meet the State's obligations; and
- (3) Appropriate monies into the Unemployment Compensation Insolvency Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received testimony in opposition to this measure from Unite Here! Local 5 Hawaii. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, Parents and Children Together, and Tax Foundation of Hawaii.

Your Committee finds that the coronavirus disease 2019 pandemic and the associated governmental responses to curtail the spread of the virus have significantly impacted the State's economy and created an unprecedented period of unemployment that rapidly depleted funds within the Unemployment Compensation Trust Fund. This measure will establish an additional fund dedicated to replenishing the Unemployment Compensation Trust Fund when the trust fund's obligations are insufficient to meet the State's obligations and the Governor declares an Unemployment Compensation Trust Fund insolvency emergency.

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. 2469, 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. 601-22 Consumer Protection & Commerce on H.B. No. 2471**

The purpose of this measure is to amend the definition of "adequate reserve fund" to exclude the benefit cost rate from June 2020 through August 2021, effective for calendar years 2023 through 2030.

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 Unite Here! Local 5 Hawaii.

Your Committee finds that the COVID-19 pandemic and the associated governmental responses to curtail the spread of the virus have significantly impacted the State's economy and created an unprecedented period of unemployment that rapidly depleted funds within the Unemployment Compensation Trust Fund.

Your Committee further finds that the Adequate Reserve Fund is used as a measure of the solvency of the Unemployment Compensation Trust Fund and to determine the applicable unemployment insurance tax schedule for each calendar year. Under the existing statutory definition of "adequate reserve fund", the unprecedented outflow of funds from 2020 and 2021 will be included in the calculation of adequate reserve. For comparison, under the existing statutory definition of "adequate reserve fund", the Adequate Reserve Fund is estimated at \$1.77 billion for calendar year 2023; if the benefit cost rate from June 2020 to August 2021 is excluded, the Adequate Reserve Fund is estimated at \$568 million for calendar year 2023. This measure would exclude the benefit cost rate from June 2020 to August 2021 from the definition of "adequate reserve fund" for calendar years 2023 through 2030, which will allow contributory employers to replenish the Unemployment Compensation Trust Fund and help to reestablish the fund's integrity without imposing the highest contribution schedules for years as Hawaii's economy continues to recover from the pandemic.

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. 2471, 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. 602-22 Consumer Protection & Commerce on H.B. No. 1893**

The purpose of this measure is to transfer the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System so that when the Oahu Regional Health Care System is transferred from the Hawaii Health Systems Corporation to the Department of Health, pursuant to Act 212, Session Laws of Hawaii 2021, the Daniel K. Akaka State Veterans Home will become part of the Department of Health.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Defense, State Office of Veterans Services, and three individuals. Your Committee received comments on this measure from the Department of Health; Department of Budget and Finance; Office of Information Practices; Hawaii Health Systems Corporation, Board of Directors; Hawaii Health Systems Corporation, Oahu Region; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the Daniel K. Akaka State Veterans Home is currently under construction in Kapolei with an expected completion date of spring 2023. State veterans homes are facilities that provide long-term care for veterans, their spouses, and gold-star parents. Additionally, state veterans homes are funded primarily through the United States Department of Veterans Affairs and Medicare or Medicaid funds.

Your Committee further finds that the Department of Defense lacks the medical expertise for continued operational oversight of the long-term care facility. Furthermore, the Department of Defense, unlike the Hawaii Health Systems Corporation, lacks the statutory authority to create 501(c)(3) tax-exempt structures to assist in the administration of the long-term care facility.

Your Committee finds that, pursuant to Act 212, Session Laws of Hawaii 2021 (Act 212), the Oahu Regional Health Care System facilities will be transferred to the Department of Health by December 31, 2022. This measure will transfer the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System with the intent that it transfer to the Department of Health once the Oahu Regional Health Care System facilities are transferred pursuant to Act 212.

Should this measure continue through the legislative process, your Committee respectfully requests that further consideration be given to whether the employees of the Daniel K. Akaka State Veterans Home should be exempt from civil service.

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. 1893, 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. 603-22 Consumer Protection & Commerce on H.B. No. 1805**

The purpose of this measure is to:

- (1) Provide a tax credit for the upgrade or conversion of a cesspool to a Director of Health-approved wastewater system or connection of a cesspool to a sewerage system;
- (2) Require cesspool upgrades, conversions, or connections at the point of sale of real property or within twelve months of the date of sale recordation, with certain exemptions; and
- (3) Appropriate funds for additional positions for the Department of Health to assist with monitoring and enforcing cesspool upgrades, conversions, and connections.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i Sea Grant College Program, one member of the Hawai'i County Council, WAI: Wastewater Alternative & Innovations, Hawai'i Reef and Ocean Coalition, and five individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS, West Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and one individual.

Your Committee finds that cesspools are a major source of pollution to Hawaii's waters and pose a serious risk of harm to public health and the environment. Although the Legislature, through Act 125, Session Laws of Hawaii 2017, mandated the upgrade or conversion of all cesspools in the State to Director of Health-approved wastewater management systems or connection to a municipal sewage system by 2050, the rate of upgrade, conversion, and connection has been underwhelming and further action is needed to incentivize this process. This measure implements two approaches to facilitate the conversion of cesspools at the point-of-sale and provide financial relief to homeowners during the conversion process, while also creating additional capacity within the Department of Health to guide the State's transition to more appropriate forms of waste management.

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. 1805, 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). Noes, none. Excused, none.

**SCRep. 604-22 Consumer Protection & Commerce on H.B. No. 1432**

The purpose of this measure is to facilitate the provision of concession services to the public by:

- (1) Increasing the initial maximum term of concession contracts from fifteen years to twenty-five years;
- (2) Exempting concessions for beach or ocean-related recreational services from the sealed bid requirements, with certain conditions;
- (3) Authorizing the county directors of parks and recreation to designate which county parks under their respective jurisdictions are environmentally, culturally, historically, or operationally unique for purposes of determining whether a concession at the park is exempt from the sealed bid requirements; and
- (4) Expanding the exemption for concessions at county zoos, botanic gardens, or county parks designated by the respective county director of parks and recreation, in the director's sole discretion, as environmentally, culturally, historically, or operationally unique; provided that the concessions are awarded to responsible offerors whose proposals are the most advantageous, rather than solely to certain nonprofit corporations.

Your Committee received testimony in support of this measure from the Department of Enterprise Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Palekaiko Beachboys Club.

Your Committee finds that the existing fifteen-year maximum duration for concessions of public property makes it difficult for agencies to find concessionaires willing to invest in the necessary capital improvements to provide satisfactory concession services. It can be difficult for potential concessionaires to generate sufficient revenues to support operations while amortizing the concessions' construction and other costs over a fifteen-year period. Therefore, your Committee finds that it is in the public's best interest to provide flexibility and allow for a longer lease term; however, your Committee has concerns over what the appropriate extension should be at this time.

Your Committee has amended this measure by:

- (1) Leaving the number of years for the maximum concession term unspecified;
- (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. 1432, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1432, 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 (Aquino, Hashem, Mizuno).

**SCRep. 605-22 Consumer Protection & Commerce on H.B. No. 1679**

The purpose of this measure is to make comprehensive updates to the statutory provisions regarding acupuncture practitioners to reflect modernized scopes of practice and licensing requirements.

Your Committee received testimony in support of this measure from the Board of Acupuncture, Hawaii Acupuncture Association, Acuplan Hawaii, Institute of Clinical Acupuncture and Oriental Medicine, Mind Balance Hawaii, Kailua Acupuncture Clinic, Longevity Health Center, and numerous individuals. Your Committee received testimony in opposition to this measure from the American Academy of Medical Acupuncture, Hawaii Medical Association, and one individual. Your Committee received comments on this measure from the CHI Lifestyle Medical Center.

Your Committee finds that acupuncture is growing in popularity as an accepted form of treatment and because of expanded benefits under health insurance policies and Medicare. Your Committee further finds that acupuncture medicine is an evidence-based medicine rooted in traditional and modern modalities. The practice of acupuncture medicine includes examination, evaluation, diagnosis, and treatment of the patient, therefore regulation and control are necessary for public health, safety, and welfare. A number of the State's laws governing acupuncture practitioners have not been updated in over twenty years, despite changes to certification standards and expanded accredited educational programs. Accordingly, your Committee finds that a comprehensive update of the laws regulating acupuncture is warranted.

Your Committee has amended this measure by:

- (1) Authorizing the Board of Acupuncture to issue licenses by reciprocity under certain conditions;
- (2) Amending the definition of "practice of advanced acupuncture medicine" to remove references to traditional and biomedical internal medicine training;
- (3) Amending the continuing education requirements by:
  - (A) Delaying the implementation until the licensing biennium commencing July 1, 2025; and
  - (B) Authorizing the Board of Acupuncture to perform random audits on licensees to determine compliance; 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. 1679, 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. 1679, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 606-22 Consumer Protection & Commerce on H.B. No. 1823**

The purpose of this measure is to amend the Our Care, Our Choice Act to:

- (1) Authorize advanced practice registered nurses and physician assistants, in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority;
- (2) Authorize advanced practice registered nurses with a psychiatric or clinical nurse specialization and physician assistants, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient;
- (3) Reduce the mandatory waiting period between oral requests from twenty days to fifteen days;
- (4) Reduce the mandatory waiting period between a qualified patient's initial oral request and the provision of a prescription pursuant to section 327L-4(a)(12), Hawaii Revised Statutes, from twenty days to fifteen days; provided that if more than ten business days have elapsed between the qualified patient's initial oral request and an appraisal of the patient by the attending provider or consulting provider, the mandatory waiting period between a qualified patient's initial oral request and the provision of a prescription shall be reduced to ten days;
- (5) Provide an expedited pathway for terminally ill qualified patients who are not expected to survive the mandatory waiting period; and
- (6) Prohibit the disclosure or discovery of information collected pursuant to the Our Choice, Our Care Act, or retained as the result of incidental or routine communication with providers and qualified patients.

Your Committee received testimony in support of this measure from Hawai'i Pacific Health; AlohaCare; Compassion & Choices; Burden Lifters, LLC; Hawai'i – American Nurses Association; Hawai'i Psychological Association; Hawaii Society of Clinical Oncology; Hawaii Association of Professional Nurses; National Association of Social Workers – Hawai'i; The Hawaiian Islands Association for Marriage and Family Therapy; and numerous individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party, Hawaii Psychiatric Medical Association, Hawaii Family Forum, The Hawaii Association for Justice, and six individuals. Your Committee received comments on this measure from the Department of Health, Board of Nursing, Hawai'i State Center for Nursing, and one individual.

Your Committee finds that in 2018, the State passed the Our Care, Our Choice Act to ensure that all terminally ill individuals have access to the full range of end-of-life care options. The Our Care, Our Choice Act allows mentally capable, terminally ill individuals with six months or less to live to voluntarily request and receive prescription medication that allows the person to die in a peaceful, humane, and dignified manner.

Your Committee further finds that the State's shortage of physicians has created barriers to access these end-of-life care options for qualified terminally ill individuals. Hawaii has the longest mandatory waiting period among all ten medical-aid-in-dying authorized states and the District of Columbia, and many patients do not survive the mandatory waiting period.

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. 1823, 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, 6; Ayes with Reservations (Har, Matsumoto). Noes, 2 (Kitagawa, Kong). Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 607-22 Consumer Protection & Commerce on H.B. No. 1977**

The purpose of this measure is to allow dental assistants to perform limited, essential duties under the general supervision of a licensed dentist providing support dental services in a public health setting.

Your Committee received testimony in support of this measure from the Department of Health, Board of Dentistry, Hawaii Dental Hygienists' Association, Hawai'i Children's Action Network Speaks!, Hawai'i Oral Health Coalition, AlohaCare, Hui No Ke Ola Pono, and two individuals. Your Committee received comments on this measure from the Hawaii Dental Association.

Your Committee finds that allowing dental assistants to provide limited, yet essential, dental auxiliary support for dental hygienists under the general supervision of a licensed dentist in a public health setting will contribute to the development and sustainability of community-based oral health programs in the State. This measure increases the overall capacity and number of dentists permitted to provide dental services via the community-based oral health models that require general supervision, which will help meet the oral health needs of the State's communities and improve access to dental care for Hawaii residents.

Your Committee has amended this measure by clarifying that the role of a dental hygienist is to give direction to, rather than have a supervisory responsibility over, a dental assistant, as both are under the general supervision of a licensed dentist.

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. 1977, 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. 1977, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

**SCRep. 608-22 Consumer Protection & Commerce on H.B. No. 2260**

The purpose of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries;
- (2) Increase the number of production centers and retail dispensing locations that may be allowed under a dispensary license;
- (3) Redefine the term "medical cannabis production center" to include any series of structures located within the same secured perimeter fence-line;
- (4) Increase the allowable number of plants for production centers;
- (5) Require the Department of Health to establish the fee structure for the submission of applications for additional production centers and retail dispensing locations and dispensary-to-dispensary sales; and
- (6) Amend the Department of Health's duties with respect to the establishment of standards for manufactured cannabis products.

Your Committee received testimony in support of this measure from the Hawai'i Cannabis Industry Association; Aloha Green Holdings, Inc.; Maui Grown Therapies; Hawaiian Ethos; Green Aloha Ltd.; and Lau Ola LLC, dba Big Island Grown Dispensaries. Your Committee received testimony in opposition to this measure from Care Waialua Farm. Your Committee received comments on this measure from the Department of Health, Akamai Cannabis Clinic, and one individual.

Your Committee finds that the State's Medical Cannabis Program was established to provide medical relief for seriously ill individuals in the State and ensure safe and legal access to medical cannabis for qualifying patients. Your Committee further finds that the Medical Cannabis Program needs to be updated to increase patient access, strengthen product controls and safety, and provide improvements to the administration of the program. This measure enhances quality assurance by updating the existing program and requiring the Department of Health to establish additional manufacturing and product stability standards for the manufacture of medical cannabis products.

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. 2260, 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). Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

**SCRep. 609-22 Consumer Protection & Commerce on H.B. No. 1971**

The purpose of this measure is to:

- (1) Authorize and regulate peer-to-peer car-sharing;
- (2) Impose the general excise tax and rental motor vehicle surcharge tax on peer-to-peer car-sharing programs and require these programs to collect and remit taxes and surcharges to the Department of Taxation; and
- (3) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Department of Taxation.

Your Committee received testimony in support of this measure from the Department of Taxation and Enterprise Holdings. Your Committee received testimony in opposition to this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs, Tax Foundation of Hawaii, Turo, Getaround, Hawaii Association for Justice, and Hawaii Insurers Council.

Your Committee finds that peer-to-peer car-sharing allows for vehicle owners to rent their vehicles to others through online platforms. Your Committee further finds that peer-to-peer car-sharing, while growing in popularity, is not regulated by the State. This measure will establish a regulatory scheme for peer-to-peer car-sharing to provide consumers and the public with greater protection.

Your Committee notes that existing law empowers the Department of Transportation Airports Division to establish policies and rules governing use and access to the airports' premises. No provision in this measure should be construed to abrogate the Airports Division's authority. Therefore, if a peer-to-peer car-sharing program chooses to operate on airport premises, the program will be subject to the Airport Division's policies and rules.

Your Committee further notes that your Committee's priority is to ensure that appropriate measures are in place to effectively prevent the sharing of a vehicle with an unresolved recall issue. However, concerns were raised in testimony before your Committee that the provisions in this measure governing recalled vehicles may be technologically unfeasible. As such, should this measure advance through the legislative process, your Committee believes that further discussion is needed to determine the most appropriate and feasible method to ensure consumers do not have access to vehicles that create an unreasonable safety risk or fail to meet minimum safety standards.

Your Committee has amended this measure by:

- (1) Specifying that peer-to-peer car-sharing programs and shared car owners are exempt from vicarious liability under any state or local law that imposes liability solely based upon motor vehicle ownership; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarify, 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. 1971, 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. 1971, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

**SCRep. 610-22 Consumer Protection & Commerce on H.B. No. 2278**

The purpose of this measure is to:

- (1) Establish a refundable income 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 Hawaii Interfaith Power and Light, Environmental Justice Task Force of Faith Action for Community Equity, Ulupono Initiative, Imua Alliance, Kauai Climate Action Coalition, Climate Protectors Hawai'i, The Nature Conservancy, Citizens' Climate Lobby Hawaii, Citizens' Climate Lobby – Hawaii Island Chapter, and eighteen individuals. Your Committee received testimony in opposition to this

measure from the Honolulu County Republican Party, Life of the Land, and two individuals. Your Committee received comments on this measure from Department of Taxation, Department of Budget and Finance, Hawaii State Energy Office, Tax Foundation of Hawaii, Hawaii Automobile Dealers' Association, Par Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that carbon pricing is an effective way to reduce emissions and it is, therefore, appropriate to use carbon pricing policies as a tool in the State's climate policy package. Your Committee further finds that distributing most of the carbon tax revenue to Hawaii's households in a low-tax scenario would create a net financial benefit to most of the State's households, with the largest net financial benefit to low-income households. Establishing a carbon tax on fossil fuels in tandem with a refundable tax credit or cash payment would thereby help to control carbon emissions, benefit the environment and human health, and promote the State's clean energy goals without negatively impacting low-income households.

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. 2278, 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; Ayes with Reservations (Matsumoto). Noes, 3 (Har, Kong, Onishi). Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 611-22 Consumer Protection & Commerce on H.B. No. 2493**

The purpose of this measure is to:

- (1) Establish the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program to incentivize carbon sequestration activities through contracts that provide for compensation for eligible practices by program participants; and
- (2) Appropriate funds for positions and administration of the Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Green Infrastructure Authority; one member of the Hawai'i County Council; Climate Protection and Restoration Initiative; 350Hawaii.org; Hawaii Interfaith Power and Light; Conservation Council for Hawai'i; Climate Protectors Hawai'i; The Nature Conservancy – Hawai'i and Palmyra; Hawai'i Farm Bureau; Hawaii Gas; Hawaii Cattlemen's Council, Inc.; Our Revolution Hawaii; Energy and Climate Action Committee, Environmental Caucus of the Democratic Party of Hawai'i; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, Office of Planning and Sustainable Development, and one individual.

Your Committee finds that Hawaii needs to reduce its contribution to climate change, increase local food production, improve soil health, and secure resilient water sources. In addition to cutting emissions from burning carbon, Hawaii needs to mitigate climate change by sequestering greenhouse gases through regenerative agriculture and forest preservation. This measure advances these goals by establishing an incentive program that allows small farmers, ranchers, foresters, and landowners to be compensated for taking measures to help Hawaii reach its climate readiness goals.

Your Committee notes that the Greenhouse Gas Sequestration Task Force, established pursuant to Act 15, Session Laws of Hawaii 2018, and placed within the Office of Planning and Sustainable Development, conducts research and makes recommendations to promote greenhouse gas sequestration. Additionally, the Office of Planning and Sustainable Development has a strong record of promoting greenhouse gas sequestration. Therefore, your Committee notes that, should this measure continue through the legislative process, further consideration should be given to placing the incentive program proposed by this measure under the administration of the Greenhouse Gas Sequestration Task Force or Office of Planning and Sustainable Development, as those entities may be more appropriate to manage this program.

Your Committee has amended this measure by:

- (1) Clarifying that eligible lands includes public lands managed by a private citizen;
- (2) Clarifying that certain tasks of the Hawaii Green Infrastructure Authority are to be conducted in coordination with other relevant agencies;
- (3) Specifying that the Hawaii Green Infrastructure Authority must establish incentive contract terms within one year of receipt of a program application, but removing the requirement to establish compensation rates;
- (4) Clarifying the activities the Authority must coordinate with relevant agencies;
- (5) Clarifying the composition of the Reviewing Committee to include the Chairperson of the Board of Land and Natural Resources, Chairperson of the Board of Agriculture, and representatives from the Native Hawaiian community;
- (6) Specifying that land managers are also eligible for the program;
- (7) Adding activities that are located in or provide services to historically disadvantaged and underserved communities as a priority eligibility requirement; 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 is in accord with the intent and purpose of H.B. No. 2493, 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. 2493, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Kong). Noes, none. Excused, 3 (Aquino, Hashem, Mizuno).

#### **SCRep. 612-22 Consumer Protection & Commerce on H.B. No. 1837**

The purpose of this measure is to:

- (1) Require each county to submit biennial reports to the Legislature on its efforts to reduce zoning and regulatory barriers to housing development; and
- (2) Require the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to submit biennial reports, based on their individual review of the counties' reports, to the Legislature on streamlining affordable housing development.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS.

Your Committee finds that the State is in need of at least forty-six thousand housing units to meet housing demand by 2030. However, there are many procedural and regulatory barriers at the county level to building housing, such as permitting, planning, and zoning. Your Committee further finds that regulatory costs account for a quarter of the final price of a single-family home and a third of the cost of a multifamily home. Your Committee believes that having the counties identify ways to reduce these procedural and regulatory barriers will help address the State's housing needs.

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. 1837, 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. 613-22 Consumer Protection & Commerce on H.B. No. 1975**

The purpose of this measure is to:

- (1) Clarify the limits of when a preceptor may be compensated for standard clinical services while providing a volunteer-based supervised clinical training rotation;
- (2) Amend the definition of "preceptor" to improve accessibility for providers to receive income tax credits for acting as preceptors; and
- (3) Include the Director of Health on the Preceptor Credit Assurance Committee.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i System, Hawai'i State Center for Nursing, Kaiser Permanente Hawai'i, Hawaii Medical Association, Hawai'i Association of Professional Nurses, Hawai'i Pacific Health, The Queen's Health Systems, Hawaii Primary Care Association, Hawai'i – American Nurses Association, Hawai'i State Rural Health Association, and two individuals. 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 there is a shortage of primary care providers in the State. As a means of addressing the shortage, the healthcare preceptor income tax credit was established to incentivize volunteer preceptors to offer professional instruction, training, and supervision to students and residents seeking careers as health care providers.

Your Committee further finds that although the healthcare preceptor income tax credit provides an incentive to preceptors, the existing statutory definitions have limited the number of preceptors who are eligible for the credit. This measure expands the definition of "preceptor" to include other fields of practice, which will expand the pool of available preceptors to train new health care providers. This measure also clarifies the limits of when a preceptor may be compensated for standard clinical services while providing a volunteer-based supervised clinical training rotation and bolsters the membership of the Preceptor Credit Assurance Committee, which is responsible for certifying the tax credit.

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. 1975, H.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, 2 (Hashem, Mizuno).

**SCRep. 614-22 Consumer Protection & Commerce on H.B. No. 1974**

The purpose of this measure is to establish the Small Business Assistance Initiative within the State Procurement Office, to consist of a Small Business Procurement Coordinator and Small Business Office, and to appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Transportation, State Procurement Office, Hawai'i State Commission on the Status of Women, Native Hawaiian Chamber of Commerce, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State does not have a formal small business program or any collected metrics to assist the State Procurement Office in understanding the small business landscape in Hawaii. Addressing small business concerns must include the infrastructure and resources needed to understand and assist this unique community. Your Committee further finds that this measure provides a means to obtain vital data, which will enable responsible decision-making on any formal small business program moving forward.

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. 1974, 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. 615-22 Consumer Protection & Commerce on H.B. No. 1976**

The purpose of this measure is to:

- (1) Establish the Safe Home Program to provide matching and nonmatching grants to install wind resistive devices on certain residential properties;
- (2) Create a permanent position within the Insurance Division of the Department of Commerce and Consumer Affairs to implement and administer the Safe Home Program; and
- (3) Appropriate funds for the Safe Home Program.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawai'i Emergency Management Agency, Hawaii Insurers Council, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that recent incidents have shown that the State is vulnerable to property loss due to hurricanes, tropical storms, and strong winds. Your Committee further finds that one of the best mitigation strategies for reducing potential damage is the broad statewide use of wind resistive devices on personal residences. The grant program established by this measure will help Hawaii residents be more resilient in the event of a hurricane, reduce the need for emergency sheltering, and provide for more rapid recovery from a weather-related event. More resilient homes will result in lower or fewer insurance claims, which can help eventually reduce insurance premiums for all Hawaii residents.

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. 1976, 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. 616-22 Corrections, Military, & Veterans on H.B. No. 2344**

The purpose of this measure is to:

- (1) Create a good time credit system by which criminal defendants on probation may reduce their time on probation through compliance with conditions of probation;
- (2) Provide that a condition of probation that prohibits unnecessary associations may only apply with respect to certain persons having a connection to the underlying crime or the prosecution of the crime;
- (3) Provide that a condition of probation that prohibits the possession or use of alcohol or unauthorized drugs may only be imposed if it reasonably relates to the crime for which the defendant was convicted;
- (4) Provide that substance abuse treatment shall not be required of a defendant on probation if a program is not available in the county of the defendant's residence or if the defendant has not been accepted into a program; and
- (5) Prohibit incarceration for certain technical violations.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Office of the Public Defender, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Maui Economic Opportunity, Hawaii Appleseed Center for Law & Economic Justice, Our Revolution Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from the Judiciary, Department of the Attorney General, City and County of Honolulu Department of the Prosecuting Attorney, and two individuals.

Your Committee finds that existing state laws relating to certain violations of community supervision are resulting in counterproductive, skyrocketing rates of incarceration and severe overcrowding in local jails and prisons. Based on weekly population reports, typically one fourth of all jail and prison admissions in Hawaii are the result of probation or parole violations of the terms of legal supervision, other than the commission of certain crimes.

Your Committee further finds that incarceration for parole violations is expensive, with the State spending \$219 per day to incarcerate just one person. Research shows that community-based services are a fraction of the cost of incarceration, and that investment in access to employment, housing, social services, and voluntary community-based reentry programs reduces recidivism more effectively than incarceration. Accordingly, this measure seeks to reform probation procedures to reduce the incarcerated population.

Your Committee notes concerns, however, with the breadth of the use of the term "technical violation" in the measure and its application. Your Committee therefore finds that all references to "technical violation" should be removed from the substantive provisions of the measure. As this measure proceeds through the legislative process, your Committee requests that a workable definition for "technical violation" be considered and included if appropriate.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to a good time credit system;
- (2) Deleting the proposed limitations on conditions of probation relating to prohibited associations, possession or use of alcohol or unauthorized drugs, and substance abuse treatment;
- (3) Deleting all references to "technical violations" from the substantive provisions of this measure and the prohibition on incarceration for certain technical violations;
- (4) Requiring the probation officer to conduct a formal review of the defendant's progress halfway through the defendant's period of probation and provide the defendant information on how to file a motion with the court for early termination of probation, if the defendant so chooses;
- (5) Giving a probation or law enforcement officer who has probable cause to believe a defendant has failed to comply with a discretionary condition of probation under section 706-624(2), Hawaii Revised Statutes, the discretion to issue the defendant a written notice of a court hearing that states the defendant's alleged violation and the date, time, location, and purpose of the hearing;
- (6) Changing the effective date to July 1, 3000, 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2344, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2344, 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 (Kong). Noes, none. Excused, 2 (Morikawa, McDermott).

**SCRep. 617-22 Corrections, Military, & Veterans on H.B. No. 1463**

The purpose of this measure is to establish a comprehensive application process for executive pardons.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, City and County of Honolulu Department of the Prosecuting Attorney, County of Kaua'i Office of the Prosecuting Attorney, and two individuals. Your Committee received comments on this measure from the Department of Public Safety, Hawaii Paroling Authority, and Hawaii Firearms Coalition.

Your Committee finds that this measure sets forth the requirements for an application for executive pardon; the respective roles of the applicant, Governor, Department of Public Safety, Hawaii Paroling Authority, prosecuting attorneys, and Department of the Attorney General; timeframes within which certain steps of the process must occur; information and documentation needed for full consideration of the application; a means of ensuring any victim or surviving immediate family members of the victim are notified of the application and provided an opportunity to submit information relating to the application; authorization to investigate an application; and if an application is denied, the earliest date by which a repeat application may be accepted.

Your Committee further finds that the existing pardon process does not provide for the notification or input of prosecutors and crime victims or their surviving immediate family members. This measure corrects that oversight, assures sufficient records upon which to base a sound decision, and establishes a process that promotes consistency, transparency, and uniformity in the handling of applications for executive pardons.

However, your Committee notes concerns that were expressed regarding the overall timeframe for the process to be completed and a determination on the application for executive pardon rendered, and finds that further evaluation of the required number of days for notifications and submissions is necessary. As this measure proceeds through the legislative process, your Committee requests that consideration be given to a timeframe that will not disrupt the application process.

Your Committee has amended this measure by:

- (1) Making the number of days for notifications and submissions required by this measure to occur an unspecified number of days after the notification and receipt of submissions;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1463, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1463, 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 (Morikawa, McDermott).

#### **SCRep. 618-22 Corrections, Military, & Veterans on H.B. No. 1421**

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for plans and design of a veterans' memorial, with replicas of the memorial on each neighbor island, as recommended by the Gulf War Memorial Task Force formed as a result of Act 139, Session Laws of Hawaii 2013 (Act 139).

Your Committee received testimony in support of this measure from the Department of Defense, State Office of Veterans Services, and nine individuals.

Your Committee finds that pursuant to Act 139, the Office of Veterans Services, with the assistance of the Department of Accounting and General Services, Department of Defense, and State Historic Preservation Division, developed a plan to establish a memorial honoring the veterans of the Persian Gulf War, Operation Desert Storm, Operation Iraqi Freedom, Operation Enduring Freedom, Operation New Dawn, Global War on Terrorism, Homeland Defense, and Operation Noble Eagle and those who have protected our borders by land, sea, and air.

In 2014, the task force's report was presented to the Legislature, requesting an appropriation to plan, design, and construct a memorial with a prime location at the Hawaii State Veterans Cemetery in Kaneohe and replicas on each neighbor island. This measure authorizes the issuance of general obligation bonds and appropriates funds for fiscal year 2022-2023 for the planning and design components of the memorial and replicas.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$250,000 for the plans and design of the veterans' memorial.

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. 1421, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1421, 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 (Morikawa, McDermott).

#### **SCRep. 619-22 Corrections, Military, & Veterans on H.B. No. 2342**

The purpose of this measure is to:

- (1) Create a good time credit system by which a parolee may reduce the parolee's sentence through compliance with conditions of parole;
- (2) Provide that substance abuse treatment shall not be required of a parolee if a program is not available in the county of the parolee's residence or if the parolee has not been accepted into a program;
- (3) Prohibit incarceration for certain technical violations;
- (4) Provide that a condition of parole that prohibits the possession or use of alcohol or unauthorized drugs may only be imposed if it is reasonably related to the crime for which the parolee was convicted; and
- (5) Provide that a condition of parole that prohibits unnecessary associations may only apply with respect to certain persons having a connection to the parolee's underlying crime or the prosecution of the crime.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Office of the Public Defender, American Civil Liberties Union of Hawai'i, Hawai'i Children's Action Network Speaks!, Community Alliance on Prisons, Men of Paa, Hawaii Appleseed Center for Law & Economic Justice, Na Kupuna Moku O Keawe, Our Revolution Hawaii, Kanaka O Puna, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety, Department of the Attorney General, Hawaii Paroling Authority, City and County of Honolulu Department of the Prosecuting Attorney, and two individuals.

Your Committee finds that existing state laws relating to certain violations of community supervision are resulting in counterproductive, skyrocketing rates of incarceration and severe overcrowding in local jails and prisons. Based on weekly population reports, typically one-fourth of all jail and prison admissions in Hawaii are the result of probation or parole violations of the terms of legal supervision, other than the commission of certain crimes.

Your Committee further finds that incarceration for technical violations of parole is expensive, with the State spending \$219 per day to incarcerate just one person. Research shows that community-based services are a fraction of the cost of incarceration, and that investment in access to employment, housing, social services, and voluntary community-based reentry programs reduces recidivism more effectively than incarceration. Accordingly, this measure seeks to reform parole procedures to reduce the incarcerated population.

Your Committee notes concerns, however, with the breadth of the use of the term "technical violation" in the measure and its application. Your Committee therefore finds that all references to "technical violation" should be removed from the substantive provisions of the measure. As this measure proceeds through the legislative process, your Committee requests that the term "technical violation" garner additional analysis so that a workable definition can be considered and included if appropriate. If the term is included, your Committee further requests that parole violation hearings, rather than revocations, be considered in the measure.

Your Committee has amended this measure by:

- (1) Deleting provisions relating to a good time credit system;

- (2) Deleting the provision stating that substance abuse treatment shall not be required of a parolee if a program is not available in the county of the parolee's residence or if the parolee has not been accepted into a program;
- (3) Deleting proposed limitations on conditions of parole relating to possession or use of alcohol or unauthorized drugs and prohibited associations;
- (4) Deleting the definition of "technical violation", the prohibition against incarceration for certain technical violations, and all other references to technical violations from the substantive provisions of this measure;
- (5) Requiring the parolee, halfway through the parolee's term of parole, to receive an assessment from the parolee's parole officer and to have the option to submit a request for review and possible early termination of the parole sentence by the paroling authority;
- (6) Changing the effective date to July 1, 3000, 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2342, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2342, 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 (Kong). Noes, none. Excused, 2 (Morikawa, McDermott).

#### **SCRep. 620-22 Judiciary & Hawaiian Affairs on H.B. No. 1424**

The purpose of this measure is to repeal certain cross-references in the campaign spending law that refer to language that was previously repealed.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that this housekeeping measure updates Hawaii's campaign spending laws to remove obsolete references to subsections that were repealed by Act 80 and Act 81, Session Laws of Hawaii 2018.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1424, 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. 1424, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 621-22 Judiciary & Hawaiian Affairs on H.B. No. 2176**

The purpose of this measure is to:

- (1) Authorize the Taxation Board of Review (Board) to validate its actions by a concurrence of a majority of the members who heard the appeal;
- (2) Eliminate the requirement that the Board meet in each taxation district at least once annually;
- (3) Clarify the notice requirements for hearings by the Board; and
- (4) Clarify the legal and evidentiary framework the Board utilizes to reach decisions.

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 existing law is silent on the number of Board members necessary to validate an action of the Board, such as issuing an official decision. As a result, the Board must follow section 92-15, Hawaii Revised Statutes, which provides that validation requires a majority of all the members to which the Board is entitled. However, this establishes an unusual dilemma in which only three members must be present for quorum, but six members are needed to validate Board actions. By clarifying the requisite number of members need to validate a Board action as a majority of all members present and constituting quorum, as this measure proposes, tax appeals will be heard and resolved more expeditiously.

Your Committee additionally finds that further clarifications in the legal and evidentiary framework are needed to improve efficiencies in the appeals system.

As 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. 2176, 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 (LoPresti).

#### **SCRep. 622-22 Judiciary & Hawaiian Affairs on H.B. No. 1423**

The purpose of this measure is to:

- (1) Amend the amount of the fine that may be assessed against a noncandidate committee that makes only independent expenditures and 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, and League of Women Voters of Hawaii.

Your Committee finds that this measure increases the amount of fines assessed against a noncandidate committee that makes only independent expenditures, otherwise known as Super PACs or large political action committees. Your Committee further finds that increasing the amount of the fine is necessary in enforcement cases against Super PACs.

As 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. 1423, 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 (Tokioka).

#### **SCRep. 623-22 Judiciary & Hawaiian Affairs on H.B. No. 1888**

The purpose of this measure is to:

- (1) Increase the threshold amount of aggregated expenditures for electioneering communications in a calendar year from more than \$1,000 to more than \$2,000 before the filing of a statement of information would be required;
- (2) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed;
- (3) Specify the disclosure date for subsequent public distribution of electioneering communications;
- (4) Exempt communications in news stories and editorials published by electronic means from being considered electioneering communications; and
- (5) Repeal the actual expenditures exception from the definition of "electioneering communications".

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

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. Amending the disclosure date of electioneering communications to occur on the date the electioneering communications are publicly distributed is timelier and provides more transparency, as contracts for these advertisements may occur weeks or months before the electioneering communications are publicly distributed.

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. 1888, 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. 1888, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 624-22 Judiciary & Hawaiian Affairs on H.B. No. 2475**

The purpose of this measure is to establish July 31 of each year as La Hoihoi Ea.

Your Committee received testimony in support of this measure from two 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 Human Resources of the City and County of Honolulu.

Your Committee finds that La Hoihoi Ea, also known as Restoration Day, was the first national holiday in the Hawaiian Kingdom. Celebrated on July 31, La Hoihoi Ea marked the restoration of the Hawaiian Kingdom's government after the British ambassador and a British Navy captain illegally seized control. Establishing July 31 of each year as La Hoihoi Ea would highlight the historical and cultural accomplishments of the past and provide an opportunity to honor upstanding members of the Hawaiian 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 is in accord with the intent and purpose of H.B. No. 2475, H.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, 2 (Lowen, Tokioka).

#### **SCRep. 625-22 Judiciary & Hawaiian Affairs on H.B. No. 1828**

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten members to three, with at least two required for quorum;
- (2) Establishing that the members are full-time employees, with compensation based on a percentage of the salary of the Director of Taxation;
- (3) Authorizing members to validate the board's actions with a concurrence of the majority;
- (4) Clarifying that board meetings are contested case hearings and specifying notice requirements; and
- (5) Appropriating funds for the Department of Taxation to establish three full-time equivalent Taxation Board of Review members and two full-time equivalent staff positions.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that establishing a paid professional Taxation Board of Review (Board) with robust institutional support will greatly help the Department of Taxation work through the significant backlog of appeals, thereby ensuring that Hawaii taxpayers have tax appeal issues resolved fairly and expeditiously.

Your Committee further finds that the existing law is silent on the number of Board members necessary to validate an action of the Board, such as issuing an official decision. As a result, the Board must follow section 92-15, Hawaii Revised Statutes, which provides that validation requires a majority of all the members to which the Board is entitled. However, this establishes an unusual dilemma in which only three members must be present for quorum, but six members are needed to validate Board actions. By clarifying the requisite number of members needed to validate a Board action as a majority of all members present and constituting quorum, as this measure proposes, tax appeals will be heard and resolved more expeditiously.

Your Committee additionally finds that further clarifications in the legal and evidentiary framework are needed to improve efficiencies in the appeals system.

Your Committee has amended this measure by:

- (1) Clarifying that the Vice Chair of the Taxation Board of Review shall serve as the Chairperson during the Chairperson's temporary inability to act due to recusal; 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. 1828, 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. 1828, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 626-22 Judiciary & Hawaiian Affairs on H.B. No. 1894**

The purpose of this measure is to accommodate the use of traditional Native Hawaiian burial practices and environmentally-friendly burial practices by including water cremation in the treatment and disposal of human remains.

Your Committee received testimony in support of this measure from Fisher & Associates, LLC; Aloha Mortuary; Ken Ordenstein Funerals; and twelve individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, and Hawaii Funeral & Cemetery Association, Inc.

Your Committee finds that there has been an increase of interest in traditional Native Hawaiian practices for burials among Native Hawaiians and non-Native Hawaiians. Traditional Native Hawaiian burials include certain practices for treatment of human remains, which involve reducing remains to skeletal components and interring the iwi, or bones, in a kapa or lauhala container. In addition, your Committee finds that a process called water cremation, technically known as alkaline hydrolysis, provides an alternative to the traditional, flame-based cremation. This measure accommodates the use of traditional Native Hawaiian burial practices and the burial practice of water cremation to provide greater options for persons to memorialize the deceased.

Your Committee has amended this measure by:

- (1) Requiring the Department of Health, rather than the Department of Commerce and Consumer Affairs, to be responsible for establishing licensing requirements and training standards for, and issuing licenses to, hydrolysis facilities in the State;
- (2) Clarifying that hydrolysis facilities in the State are subject to existing licensing requirements;
- (3) Requiring sterile wastewater from hydrolysis facilities to be discharged into the sewer system as approved by the counties; 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. 1894, 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. 1894, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 627-22 Judiciary & Hawaiian Affairs on H.B. No. 2309**

The purpose of this measure is to reduce recidivism rates in the State and increase productivity in affected communities by appropriating monies for the development and maintenance of diversion, reentry, and rehabilitation programs within the State.

Your Committee received testimony in support of this measure from the Judiciary, American Civil Liberties Union of Hawai'i, Hawaii Substance Abuse Coalition, and Hawai'i Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Human Services, Department of Public Safety, and Department of Budget and Finance.

Your Committee finds that individuals having arrest and conviction records face many barriers to success, including housing restrictions, workplace restrictions, and informal restrictions. This measure aims to assist in the transition of formerly incarcerated individuals from jails and prisons to the community by providing more opportunities for success for these individuals.

Your Committee has amended this measure by:

- (1) Deleting references to specific organizations and programs from the preamble; 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. 2309, 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. 2309, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 628-22 Judiciary & Hawaiian Affairs on H.B. No. 2179**

The purpose of this measure is to authorize the Director of Taxation, under certain circumstances, to apply to the circuit court to convert certain tax liens into enforceable civil judgments.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that under existing law, if a delinquent taxpayer deliberately ignores the Department of Taxation's communications and their tax lien remains uncontested, the collection process cannot move forward, thereby making their delinquent tax case uncollectible. This measure will incentivize delinquent taxpayers to proactively respond to tax lien notices and lead to increased tax compliance by allowing the Director of Taxation to seek judicial enforcement of tax liens.

As 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. 2179 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 (Tokioka).

**SCRep. 629-22 Judiciary & Hawaiian Affairs on H.B. No. 2311**

The purpose of this measure is to appropriate funds to the Department of Public Safety to collaborate with the Office of Hawaiian Affairs in the creation of a Native Hawaiian rehabilitation program for prison inmates, which puts an emphasis on Native Hawaiian values and cultural practices.

Your Committee received testimony in support of this measure from the Department of Public Safety, Opportunity Youth Action Hui, Community Alliance on Prisons, Hawai'i Health & Harm Reduction Center, Women's Prison Project, and one individual. 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 Office of Hawaiian Affairs, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that rehabilitation programs have traditionally been based on western models that may not have any relevance or foundation to prison inmates' identity, cultural beliefs, and worldview. Establishing a rehabilitation program that specifically emphasizes Native Hawaiian values and cultural practices may help the disproportionately represented Native Hawaiian inmate population feel less disenfranchised and support their reintegration into society upon release.

As 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. 2311, 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 (Tokioka).

**SCRep. 630-22 Judiciary & Hawaiian Affairs on H.B. No. 2365**

The purpose of this measure is to:

- (1) Establish an Electronic Citation Special Fund to support a Statewide Electronic Citation program under the Judiciary;
- (2) Establish an electronic citation surcharge to be assessed to various traffic violations with revenues to be deposited into the Electronic Citation Special Fund; and
- (3) Require the Judiciary to adopt procedures to distribute monies from the Electronic Citation Special Fund to the respective law enforcement agencies and the Administrative Director of the courts to defray expenses related to the establishment, implementation, operation, oversight, repair and maintenance of an Electronic Citation Program.

Your Committee received testimony in support of this measure from the Judiciary, Department of Transportation, and Honolulu Police Department. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that a statewide electronic citation system will streamline processes and that the time savings will allow law enforcement to spend less time on paperwork and data entry and more time on responding to calls and community concerns. Your Committee further finds that an electronic citation system will assist the Judiciary in reducing clerical issues, processing delays, and citation dismissals.

As 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. 2365 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, 9. Noes, none. Excused, 2 (Lowen, Tokioka).

**SCRep. 631-22 Judiciary & Hawaiian Affairs on H.B. No. 2085**

The purpose of this measure is to propose amendments to the Hawaii State Constitution to expressly provide that the Legislature may authorize political subdivisions, such as the counties, to issue tax increment bonds and to exclude tax increment bonds in calculating the debt limit of the political subdivisions.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Office of Planning and Sustainable Development. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that although existing law permits a county council to provide for tax increment financing, tax increment bonds do not neatly fit within the types of bonds that counties may issue under the Hawaii State Constitution. Your Committee further finds that tax increment financing is a value capture financing tool which is successfully and widely used in other states. This measure will allow counties to issue tax increments bonds that may be used for costly infrastructure upgrades without affecting the debt limit of the counties.

As 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. 2085 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, 9; Ayes with Reservations (Ward). Noes, none. Excused, 2 (Lowen, Tokioka).

**SCRep. 632-22 Judiciary & Hawaiian Affairs on H.B. No. 1841**

The purpose of this measure is to:

- (1) Increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardian ad litem; and
- (2) Appropriate funds to the Judiciary for the purchase of service contracts, guardian ad litem contracts, and court-appointed counsel contracts.

Your Committee received testimony in support of this measure from the Judiciary, Legal Aid Society of Hawaii, and two individuals.

Your Committee finds that guardians ad litem perform a critical role in many family court cases, including child abuse and neglect cases, involuntary hospitalization proceedings, and assisted community treatment proceedings. The subjects of these proceedings are among the most vulnerable members of the State and are frequently unable to advocate for themselves. This measure will attract and retain competent individuals to act as a guardian ad litem to represent those who cannot advocate for themselves.

Your Committee has amended this measure by specifying a rate of \$75 an hour for all services provided by a person who is not an attorney licensed to practice law in the State as a guardian ad litem.

As 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. 1841, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1841, 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 (Tokioka).

**SCRep. 633-22 Judiciary & Hawaiian Affairs on H.B. No. 886**

The purpose of this measure is to amend the law relating to personal liability requirements of professionally licensed or certified employees of the State by:

- (1) Clarifying that the State shall be exclusively liable for civil tort claims resulting from the negligent or wrongful act or omission of a professionally licensed or certified employee of the State acting within the course and scope of the employee's office or employment if the State agrees to be fully liable; and
- (2) Precluding civil actions or proceedings for money damages against the employee, except for claims arising from employment with an employer other than the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Public Safety, and Hawaii Association for Justice.

Your Committee finds that state employees are generally afforded qualified privilege or immunity for torts as a result of actions taken while in the course and scope of their employment. However, in *Slingluff v. State*, the Intermediate Court of Appeals found that prison physicians are not entitled to a qualified immunity for the exercise of their professional medical judgment.

Your Committee further finds that the potential for personal liability prevents qualified professionals from applying for jobs with the State. This measure addresses challenges in the recruitment and retention of prison physicians by extending the qualified immunity granted to other government employees to professionally licensed or certified employees exercising their professional judgement in the course and scope of their state 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 H.B. No. 886 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, 1 (Tokioka).

**SCRep. 634-22 Judiciary & Hawaiian Affairs on H.B. No. 1739**

The purpose of this measure is to clarify that the comprehensive offender reentry system provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Department of Public Safety, Common Cause Hawaii, Community Alliance on Prisons, and American Civil Liberties Union of Hawai'i.

Your Committee finds that the development and implementation of comprehensive reentry plans for inmates are critical to their success when transitioning to life after incarceration. This measure corrects an error that inadvertently provided that individuals must serve their maximum terms versus their minimum terms before being released on parole.

As 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. 1739 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 (Tokioka).

**SCRep. 635-22 Judiciary & Hawaiian Affairs on H.B. No. 2499**

The purpose of this measure is to require certain departments and agencies to provide grants to tax-exempt nonprofit organizations that have experience and expertise in supporting and advancing Native Hawaiian communities.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, Office of Community Services, Council for Native Hawaiian Advancement, Kua'āina Ulu 'Auamo, The Friends of Iolani Palace, Kapolei Chamber of Commerce, and one individual. 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 the Attorney General; Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; and Department of Budget and Finance.

Your Committee finds that this measure supports Native Hawaiian communities and culture by tailoring assistance programs to benefit them and capitalizing on organizations with at least twenty years of experience providing assistance and support to Native Hawaiian communities.

Your Committee has amended this measure by:

- (1) Clarifying that the grants awarded pursuant to this measure must be in conformance with the standards for the award of grants under state 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. 2499, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2499, 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, 2 (Lowen, Tokioka).

**SCRep. 636-22 Judiciary & Hawaiian Affairs on H.B. No. 1239**

The purpose of this measure is to enhance the public's trust in law enforcement and standardize best practices between the counties by:

- (1) Amending the Law Enforcement Officer Independent Review Board to:
  - (A) Require review of any specific incident of alleged misconduct recommended by certain officials;
  - (B) Require members to serve four-year terms; and
  - (C) Make it a permanent board; and
- (2) Amending the membership and powers of the Law Enforcement Standards Board and extending member's terms to four years.

Your Committee received testimony in support of this measure from the Department of Transportation, Law Enforcement Standards Board, and one individual. Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers. Your Committee received comments on this measure from the Department of the Attorney General and American Civil Liberties Union of Hawai'i.

Your Committee finds that the Law Enforcement Officer Independent Review Board and Law Enforcement Standards Board are intended to promote public trust in law enforcement. Each board serves a vital function in overseeing and regulating law enforcement in the State. This measure is intended to help facilitate these boards in the interest of public trust and safety.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the Law Enforcement Officer Independent Review Board review of any specific incident of alleged misconduct recommended by certain officials;
- (2) Permitting the Governor to appoint the public members of the Law Enforcement Standards Board without the advice and consent of the Senate;
- (3) Permitting experience in a county police department to qualify as work experience in a law enforcement capacity for public members of the Law Enforcement Standards Board;
- (4) Clarifying that the Administrator of the Law Enforcement Standards Board is exempt from civil service requirements; 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. 1239, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1239, 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 (Tokioka).

#### **SCRep. 637-22 Judiciary & Hawaiian Affairs on H.B. No. 1448**

The purpose of this measure is to enable the counties to impose and collect fines for violations of the state traffic laws, in addition to the fines imposed by the State.

Your Committee received testimony in support of this measure from one member of the Kaua'i County Council, one member of the Hawai'i County Council, and Hawai'i State Association of Counties. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Hawaii Transportation Association, and Honolulu County Republican Party. Your Committee received comments on this measure from the Judiciary and Tax Foundation of Hawaii.

Your Committee finds that although the counties and county police enforce traffic violations, the fines collected are deposited into the state general fund for state use. This fine structure does not allow the counties to recoup the costs incurred for enforcing traffic laws, including costs related to detecting violations, issuing citations, and making arrests as well as equipment, personnel, and administrative costs. The purpose of this measure is to better support the county police departments in enforcing traffic laws.

Your Committee has amended this measure by deleting language that authorized the counties to impose, by ordinance, additional fines for violations of the state traffic laws, in addition to the fines imposed by the State, and instead imposing a County Highway Enforcement Surcharge, in addition to other penalties and fines, for violations of laws prohibiting or restricting the stopping, standing, or parking of vehicles on county highways to be distributed to the police department of the county in which the violation occurred. Your Committee has further amended this measure by:

- (1) Authorizing each county to:
  - (A) Establish a County Highway Enforcement Program within each county police department to enforce laws prohibiting or restricting the stopping, standing, or parking of vehicles on county highways and provide for parking management-related improvements;
  - (B) Designate, by ordinance, specific sections of county highways subject to the County Highway Enforcement Surcharge and require the counties to transmit a copy of the ordinance to the Judiciary each year; and
  - (C) Establish a County Highway Enforcement Program Fund within the County Highway Enforcement Program for the deposit of the County Highway Enforcement Surcharge and related penalties;
- (2) Requiring each county director of finance to submit an annual report to the Legislature and respective county council or city council on the status and progress of the County Highway Enforcement Program, including an update of all monies deposited into and expended from the County Highway Enforcement Program Fund;
- (3) Requiring the Director of Finance to annually remit the counties' share, if any, of penalties collected for outstanding citations and judgments arising out of violations of laws prohibiting or restricting the stopping, standing, or parking of vehicles on county highways; 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. 1448, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1448, 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 (McKelvey, Ward). Noes, none. Excused, 2 (Lowen, Tokioka).

#### **SCRep. 638-22 Judiciary & Hawaiian Affairs on H.B. No. 1788**

The purpose of this measure is to revitalize the Waiakea Peninsula area of Hilo by:

- (1) Establishing the Waiakea Peninsula Redevelopment District and Waiakea Planning Committee for the redevelopment of public lands on the Waiakea Peninsula;
- (2) Establishing the Waiakea Peninsula Redevelopment District Revolving Fund; and
- (3) Making an appropriation.



Your Committee received testimony in support of this measure from the Mayor of the County of Hawai'i, Hawai'i Primary Care Association, and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance and Department of the Attorney General.

Your Committee finds that the Waiakea Peninsula serves an important function in supporting the island of Hawaii's tourism industry. However, public lands on the Waiakea Peninsula have deteriorated or become dilapidated or obsolete over the years. Since the State owns a large part of the Waiakea Peninsula, it has the primary responsibility to oversee the redevelopment of the area to ensure that it does not deteriorate further and detrimentally impact the economy of the community as a whole.

Your Committee has amended this measure by:

- (1) Amending the purpose section of this measure to further explain the need for the measure and distinguish the Waiakea Peninsula from other public lands;
- (2) Renaming the "Waiakea Planning Committee" as the "Waiakea Redevelopment and Planning Committee" and clarifying that the committee is a redevelopment and planning committee;
- (3) Deleting language transferring the management of public lands within the Waiakea Peninsula Redevelopment District to the Waiakea Redevelopment and Planning Committee;
- (4) Deleting language that authorized the Waiakea Redevelopment and Planning Committee to lease public lands in the Waiakea Peninsula Redevelopment District;
- (5) Clarifying that the Waiakea Redevelopment and Planning Committee's authorization to renew or renegotiate any lease in connection with any project contained in the redevelopment plan for the designated district be on terms and conditions as the committee deems advisable; 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 H.B. No. 1788, 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. 1788, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Lowen, Tokioka).

#### **SCRep. 639-22 Judiciary & Hawaiian Affairs on H.B. No. 1653**

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

- (1) Establishing a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (2) Establishing a criminal fine structure on a per-specimen basis for violations involving aquatic life;
- (3) Authorizing the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine; and
- (4) Authorizing the Department of Land and Natural Resources to recommend to the court that defendants be restricted from entering specific geographical areas where aquatic resources may be found, including ocean waters, estuaries, rivers, and streams.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Kauhako Ohana Association; Mālama Pūpūkea-Waimea; Moana Ohana; Kua'āina Ulu 'Auamo; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; and two individuals. Your Committee received testimony in opposition to this measure from Ocean Tourism Coalition. Your Committee received comments on this measure from the Department of the Attorney General and For the Fishes.

Your Committee finds that Hawaii's aquatic resources serve significant importance to agriculture, tourism, food production, and fisheries in the State. A critical component of effective resource management is ensuring that management agencies have the appropriate enforcement tools and penalties to encourage compliance with the State's aquatic resource laws to ensure just and reasonable punishment for violations.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Land and Natural Resources may recommend certain probationary terms and conditions relating to fishing activities and equipment for a defendant to the applicable court; and
- (2) Making technical, 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. 1653, 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. 1653, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Lowen, Tokioka).

#### **SCRep. 640-22 Government Reform on H.B. No. 1475**

The purpose of this measure is to:

- (1) Require all new state employees to complete ethics training either live or online within ninety days of the start of employment and every four years thereafter;
- (2) Specify that certain state officers, including state legislators, are required to complete live ethics training; and
- (3) Require existing state employees who have not received ethics training within the immediately preceding three years of the effective date of this measure to complete live or online ethics training within twelve months of this measure's effective date and every four years thereafter.

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

Your Committee finds that requiring all state officers and employees, including state legislators, to receive training on the State Ethics Code is in the best interests of the State. Regular training by the Hawaii State Ethics Commission will ensure that state officers and employees are aware of the existing state ethics laws and will increase the public's confidence and trust in state government.

Your Committee further finds that, now more than ever, it is of the utmost imperative that all state officers, employees, and especially state legislators, receive training on the State Ethics Code on a regular basis, and it is in the best interest of the State and the best course to restore public confidence in the system of elected representative government.

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. 1475 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 (Ward).

#### **SCRep. 641-22 Government Reform on H.B. No. 2026**

The purpose of this measure is to strengthen the understanding of, and public participation in, the administrative proceedings and process of government boards by:

- (1) Making clarifying amendments to part I of chapter 92, Hawaii Revised Statutes (the State's Sunshine Law), to reflect existing Office of Information Practice opinions and guidance on the State's Sunshine Law;
- (2) Authorizing a permitted interaction for the narrow purpose of preparing a written statement for the Legislature;
- (3) Requiring better advance notice of items to be discussed by specifying when board packets are to be available to interested persons; and
- (4) Specifying that the State's Sunshine Law applies to all adjudicatory functions concerning land use regardless of the agency exercising such functions, not just the adjudicatory functions exercised by the Land Use Commission.

Your Committee received testimony in support of this measure from one member of the Hawaii County Council, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Common Cause Hawaii, Society of Professional Journalists Hawaii Chapter, 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 Hawaii Tourism Authority.

Your Committee finds that the powers and functions of public agencies and boards are legitimized by the public's confidence in these institutions. For that reason, the State's Sunshine Law imposes certain requirements to ensure that governmental processes are open for public scrutiny and participation. This measure will further the objectives and intent of the State's Sunshine Law.

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. 2026, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2026, 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. 642-22 Government Reform on H.B. No. 2037**

The purpose of this measure is to require the Office of Information Practices to resolve open meeting and open record complaints through either a legal determination on whether a violation occurred or guidance on the relevant legal requirements.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest and League of Women Voters of Hawaii. Your Committee received comments on this measure from the Office of Information Practices and Common Cause Hawaii.

Your Committee finds that providing the Office of Information Practices with the statutory discretion to decide whether to provide an opinion or informal guidance to resolve open meeting and open record complaints will allow the Office to give informal guidance on cases and appeals where it would be more suitable, less-time consuming, and more efficient in reaching the same result that a legal determination would give. This measure will give the Office of Information Practices the additional flexibility to handle its growing caseload and improve its efficiency within the constraints of its resources.

Your Committee has amended this measure by:

- (1) Clarifying that the Office of Information Practices is required to resolve open meeting and open record complaints through either a legal determination or written guidance; and
- (2) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee is concerned that only allowing open meeting and open record complaints to be resolved through written guidance of the Office of Information Practices will cut off a party from pursuing a resolution to a complaint through a legal determination of the Office. Your Committee requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure further, consider if there should be an avenue for legal determination to resolve the complaints.

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. 2037, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2037, 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. 643-22 Government Reform on H.B. No. 2068**

The purpose of this measure is to exempt construction procurements from the statutory provisions in the Hawaii Public Procurement Code that incentivize contractors and subcontractors to use Hawaii products.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Department of Transportation, University of Hawai'i System, State Procurement Office, Department of Budget and Fiscal Services of the City and County of Honolulu, Honolulu Board of Water Supply, and General Contractors Association of Hawaii.

Your Committee finds that the purpose of section 103D-1002, Hawaii Revised Statutes, is to incentivize contractors and subcontractors to use Hawaii products to support the local industry. However, the incentive has had unintended consequences, including increased construction costs and decreased efficiency of the procurement process. Your Committee believes that exempting construction procurements from the requirements of this section will yield potential savings in the costs of construction and reduce the effort necessary to prepare a construction bid.

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 H.B. No. 2068, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2068, 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. 644-22 Government Reform on H.B. No. 2069**

The purpose of this measure is to establish procedures for the custody, inventory, and care of protocol gifts received by members of either house of the Legislature or other state employees.

Your Committee received testimony in support of this measure from the Hawaii State Ethics Commission, Department of Accounting and General Services, and Hawaii State Archives. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that legislators and other state employees accept protocol gifts on behalf of the State or either house of the Legislature from other dignitaries as a gesture of goodwill or to strengthen international or national friendships. Your Committee further finds that the treatment of protocol gifts is not currently established under state law. This measure will statutorily establish the procedures for the custody, inventory, and care of the protocol gifts.

Your Committee further finds that allowing a recipient of a foreign protocol gift to maintain such a gift, despite its eventual deposit into the Hawaii State Archives, could create murky ethical issues. Therefore, in order to ensure transparency, your Committee believes it is appropriate to amend this measure to require transfer of the foreign protocol gift to the Hawaii State Archives within thirty days of receipt. Furthermore, your Committee also believes it is appropriate to amend the protocol gift written record disclosure provision to require that the recipient of the protocol gift keep a written record of the gift but note in the written record the date of transfer as a way to verify the chain of custody of the protocol gift.

Accordingly, your Committee has amended this measure by:

- (1) Requiring members of either house of the Legislature or other state employees who receive a protocol gift to:
  - (A) Transfer the protocol gift, within thirty days of receipt, to the Hawaii State Archives, rather than retain, display, or dispose of the gift; and
  - (B) Submit an original written record of the protocol gift to the Hawaii State Archives at the end of the recipient's term of office or employment;
- (2) Amending the information to be included in the written record of a protocol gift;
- (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. 2069, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2069, 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. 645-22 Government Reform on H.B. No. 2303**

The purpose of this measure is to specify that certain deliberative and pre-decisional materials that are a direct part of a government agency's internal decision-making process are not subject to disclosure if the disclosure of such materials would impair the agency's ability to make sound and fair decisions, but only to the extent that the impairment outweighs public interest in disclosure of the materials.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawai'i System, and Employees' Retirement System. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest, Common Cause Hawaii, League of Women Voters of Hawaii, and three individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that in 1988, the Legislature passed the Uniform Information Practices Act, codified as chapter 92F, Hawaii Revised Statutes, which includes the requirement that state and county government agencies allow public access to government records upon request, with certain exceptions. Your Committee further finds that beginning in 1989, the Office of Information Practices recognized that public disclosure of pre-decisional and deliberative memoranda and correspondence transmitted within or between government agencies could impede the candid and free exchange of ideas and opinions within an agency, which is contrary to the Legislature's original intent when passing the Uniform Information Practices Act. This measure will clarify the Legislature's intent regarding internal deliberative and pre-decision materials and provide for the protection of internal decision-making materials to allow agencies to freely and candidly share views internally and reach sound and fair decisions.

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. 2303, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2303, 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. 646-22 Government Reform on H.B. No. 2025

The purpose of this measure is to amend the State's Sunshine Law to require that the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting shall apply only to the persons over eighteen who are physically present with the board member at a nonpublic location.

Your Committee received testimony in support of this measure from the Hawaii Tourism Authority. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the Sunshine Law's remote meetings provision requires a board member participating from a nonpublic location to identify who is also present at the same location. Your Committee further finds that board members may have their minor children with them during a virtual board or committee meeting. Your Committee believes that protecting minors is paramount and will provide peace of mind to board members while fulfilling their duties.

Your Committee additionally finds that in today's economy, there may be young people who are still of an age to be considered a minor yet engage in internship or professional capacities, potentially with organizations or entities that may have business in front of a board. Your Committee also finds that a conflict of interest stipulation should be added to this measure so that if any such situation exists, the young person would still have to declare their presence under the Sunshine Law.

Your Committee is concerned that litigation may occur regarding what constitutes a conflict of interest. Your Committee further finds that *Black's Law Dictionary* defines "conflict of interest" as "A real or seeming incompatibility between one's private interests and one's public or fiduciary duties." Your Committee believes that this definition is appropriate to delineate what constitutes a conflict of interest.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the disclosure of names of any individual who is physically with a board member attending a public meeting by an online method and is under the age of eighteen if the individual has a conflict of interest on any issue before the board at the meeting;
- (2) Inserting a definition for "conflict of interest"; and
- (3) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, examine further the definition of conflict of interest as it pertains to 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. 2025, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2025, 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. 647-22 Judiciary & Hawaiian Affairs on H.B. No. 1536

The purpose of this measure is to appropriate supplemental funds for the Judiciary through the fiscal year ending June 30, 2023.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Appellate Section of the Hawaii State Bar Association, Hawaii County Bar Association, West Hawai'i Bar Association, Volunteer Legal Services Hawai'i, Hawai'i Access to Justice Commission, and Legal Aid Society of Hawai'i.

Your Committee finds that the supplemental appropriations made by this measure will assist the Judiciary in its efforts to fulfill its constitutional, statutory, and public service duties.

Your Committee has amended this measure by 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 consider appropriating:

- (1) \$2,000,000 for reintegration programs, including education, culture, and vocational training programs to be coordinated by the Judiciary;
- (2) \$50,000 for the technology development phase of the Criminal Pretrial Data Reporting and Collection System for Act 179, Session Laws of Hawaii 2019, on behalf of the Criminal Justice Research Institute;
- (3) \$750,000 for the Legal Aid Society of Hawai'i;
- (4) \$250,000 for Volunteer Legal Services Hawai'i;
- (5) \$5,000,000 for the Kaahumanu Hale fire alarm replacement; and
- (6) \$1,500,000 for the Kaahumanu Hale expansion and reconfiguration of the sheriff patrol station and the main security checkpoint.

As 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. 1536, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1536, 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, 2 (Lowen, Tokioka).

#### SCRep. 648-22 Judiciary & Hawaiian Affairs on H.B. No. 2313

The purpose of this measure is to:

- (1) Require the Department of Public Safety to conduct internal pretrial female risk and needs assessments to measure a female offender's risk of flight, criminal conduct, and risk of violence or harm to the community; and
- (2) Require the pretrial female risk and needs assessment tool to consider certain factors important to evaluate a female offender's risk to reoffend.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Hawai'i Substance Abuse Coalition, Women's Prison Project, and Hawaii Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that a female offender's pathways to crime and risk factors for recidivism are often different than those of male offenders and specialized tools are needed to adequately identify these pathways and risks. This measure supports the use of a pretrial gender-responsive risk and needs assessment tool, which is critical in evaluating a female offender's risk of recidivism and other specialized treatment needs.

As 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. 2313, 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 (Ward). Noes, 1 (Tokioka). Excused, none.

#### **SCRep. 649-22 Judiciary & Hawaiian Affairs on H.B. No. 2312**

The purpose of this measure is to:

- (1) Statutorily establish within the Judiciary the Women's Corrections Implementation Commission to:
  - (A) Develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders from the criminal justice system;
  - (B) Ensure implementation of the recommendations from the final report of the Task Force on Prison Reform, formed pursuant to House Concurrent Resolution No. 85, Regular Session of 2016;
  - (C) Review existing local resources and programs focused on women in the justice system for their effectiveness and expansion; and
  - (D) Consider model programs; and
- (2) Appropriate funds for the establishment of the Women's Corrections Implementation Commission.

Your Committee received testimony in support of this measure from the Judiciary, Women's Prison Project, and Hawai'i Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Public Safety, and Hawai'i State Commission on the Status of Women.

Your Committee finds that Hawaii's correctional system can benefit from the establishment of a Women's Corrections Implementation Commission to direct and oversee the changes needed to develop a more effective and gender-responsive system. This measure also ensures the implementation of recommendations from the Task Force on Prison Reform, formed pursuant to House Concurrent Resolution No. 85, Regular Session of 2016, which were made available in the final report to the Legislature during the Regular Session of 2019.

As 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. 2312, 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. 650-22 Judiciary & Hawaiian Affairs on H.B. No. 2038**

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; and
- (2) Allow the presiding officers of the Legislature to request a written opinion, within forty-eight hours, of the Supreme Court regarding the legality of a proposed amendment to the state constitution and the constitutional ratification question.

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 requested by a house of the Legislature. 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) Requiring the Supreme Court to provide a written opinion on the legality of a proposed amendment to the state constitution and the constitutional ratification question within seven days of receipt of the request, rather than within forty-eight hours; and
- (2) Making technical, 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. 2038, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2038, 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, 2 (Lowen, Tokioka).

#### **SCRep. 651-22 Judiciary & Hawaiian Affairs on H.B. No. 1776**

The purpose of this measure is to:

- (1) Mandate that there be a community-based work furlough program for incarcerated women in the State; and
- (2) Appropriate funds to the Department of Public Safety to ensure the continuation and expansion of community-based work furlough for women.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Office of the Public Defender, Hawaii Substance Abuse Coalition, Women's Prison Project, Hawai'i Women Lawyers, Hawai'i Health & Harm Reduction Center, and YWCA O'ahu. Your Committee received comments on this measure from the Department of Budget and Finance and American Civil Liberties Union of Hawai'i.

Your Committee finds that since 2015, the Department of Public Safety has contracted with a local nonprofit organization to place women from the Women's Community Correctional Center on Oahu in a residential program that provides wraparound services to assist them as they reenter society and rebuild their lives. The residential program's job readiness and job retention programs enable women to return to the workforce, keeping eighty-four percent of participants out of prison and providing them with the opportunity to participate in and access transitional training. This measure ensures the continuation and expansion of the community-based work furlough program for incarcerated women in the State.

Your Committee has amended this measure by:

- (1) Requiring the expansion of community-based work furlough and reentry programs for female offenders, regardless of whether the program is funded by the Department of Public Safety or another state agency;
- (2) Requiring the Department of Public Safety and any other state agency that contracts with community-based work furlough and reentry programs for female offenders to submit an annual report to the Legislature that includes the amount of funding expended for community-based work furlough and reentry programs, the number of women served by the programs, a description of the services provided by the programs, and program participation outcomes; 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. 1776, 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. 1776, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 652-22 Judiciary & Hawaiian Affairs on H.B. No. 2171**

The purpose of this measure is to:

- (1) Establish a new Department of Law Enforcement to consolidate and administer the criminal law enforcement and investigations functions of the Department of Transportation, certain investigations functions of the Department of the Attorney General, functions of the Office of Homeland Security, and law enforcement and investigations functions of the Department of Public Safety;
- (2) Rename the Department of Public Safety as the Department of Corrections and Rehabilitation, which will administer the corrections, rehabilitation, reentry, and related functions currently assigned to the Department of Public Safety;
- (3) Establish a training center within the Department of Law Enforcement;
- (4) Transfer employees, appropriations, records, equipment, leases, contracts, other documents, rules, policies, procedures, guidelines, and other material, as appropriate, to the respective departments; and
- (5) Establish positions and appropriate funds for the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Transportation; Department of Public Safety; Department of Defense; Hawaii Paroling Authority; Hawaii Office of Homeland Security; Department of the Prosecuting Attorney of the City and County of Honolulu; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; and numerous individuals. Your Committee received testimony in opposition to this measure from three individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Office of Information Practices; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that state law enforcement personnel and functions are currently spread across various departments. The Department of Public Safety, Department of Transportation, and Department of the Attorney General all have independent law enforcement officers and different law enforcement duties. Since each department administers its own law enforcement duties, goals, and functions, training and operational standards differ between each department. This measure consolidates state law enforcement responsibilities into a single state department to increase public safety, improve decision making, promote accountability, streamline communication, decrease costs, reduce duplication of efforts, and provide uniform training and standards.

Your Committee has amended this measure by:

- (1) Clarifying that appropriate counseling services for sexual assault are to be made available to victims of prison sexual assault, rather than only victims of prison rape;
- (2) Reinstating existing statutory provisions regarding the correctional health care program, federal reimbursement maximization special fund, sexual assaults in prison, and the reporting of correctional facility and community correctional center deaths;
- (3) Deleting language that would have allowed the Department of the Attorney General law enforcement vehicles to have blue and red lamps, reflectors, or illumination devices as authorized and approved by the Attorney General;
- (4) Deleting language that amended the definition of "authorized emergency vehicle" under the Statewide Traffic Code to include attorney general law enforcement vehicles;
- (5) Changing the appropriation amounts for positions within the Department of Law Enforcement to unspecified amounts; and
- (6) 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 consider:

- (1) Appropriating \$4,121,309 for positions within the Department of Law Enforcement as follows:
  - (A) \$175,056 for one full-time equivalent (1.0 FTE) permanent director position;
  - (B) \$322,056 for two full-time equivalent (2.0 FTE) permanent deputy director positions;
  - (C) \$211,032 for three full-time equivalent (3.0 FTE) permanent private secretary positions;
  - (D) \$118,000 for one full-time equivalent (1.0 FTE) permanent special assistant position;
  - (E) \$127,848 for one full-time equivalent (1.0 FTE) permanent administrative services officer position;

- (F) \$115,950 for one full-time equivalent (1.0 FTE) permanent human resources officer position;
- (G) \$67,200 for one full-time equivalent (1.0 FTE) permanent planner position;
- (H) \$228,132 for eight full-time equivalent (8.0 FTE) permanent administrative services and accounting positions;
- (I) \$285,636 for nine full-time equivalent (9.0 FTE) permanent information services and technology positions;
- (J) \$78,630 for four full-time equivalent (4.0 FTE) permanent internal support services positions;
- (K) \$238,026 for eight full-time equivalent (8.0 FTE) permanent human resources positions;
- (L) \$75,588 for two full-time equivalent (2.0 FTE) permanent capital improvement project coordinator positions;
- (M) \$156,699 for four full-time equivalent (4.0 FTE) permanent litigation coordination positions;
- (N) \$315,360 for nine full-time equivalent (9.0 FTE) permanent training and staffing development positions;
- (O) \$243,126 for six full-time equivalent (6.0 FTE) permanent supervisory deputy sheriff positions;
- (P) \$179,217 for five full-time equivalent (5.0 FTE) permanent office of homeland security investigator positions;
- (Q) \$139,596 for four full-time equivalent (4.0 FTE) permanent civil rights compliance positions;
- (R) \$37,794 for one full-time equivalent (1.0 FTE) permanent public information officer position; and
- (S) \$1,006,363 for other operation costs; and

- (2) The salaries of the new director positions established pursuant to this measure since there may be a gap between when these positions are filled and when the next Salary Commission meets to set the director position salaries.

Your Committee notes that the Chairperson of the Committee will send a letter to the Director of Public Safety to request a future organizational chart and information on the transition of positions as provided by this measure into the new departments.

As 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. 2171, 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. 2171, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Nakamura). Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 653-22 Water & Land on H.B. No. 1751**

The purpose of this measure is to increase housing opportunities by allowing the counties to determine by ordinance the appropriateness of allowing dwellings on each quarter-acre, rather than each 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 Office of Planning and Sustainable Development, Department of Agriculture, and Grassroot Institute of Hawaii.

Your Committee finds that given the shortage of housing in the State, the counties should be allowed to increase density in state-designated rural districts. Under the existing land use law only one dwelling unit is permitted per one-half acre, or 21,780 square feet, of land in a rural district. This measure would allow for increased density of rural districts while ensuring that any increase is consistent with the county general plan and community development plans.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1751, 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. 1751, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Branco). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 654-22 Water & Land on H.B. No. 1993**

The purpose of this measure is to update certain state non-agricultural park leasing laws to maximize the benefit to the State of these lands and to help the State achieve its economic and food production goals.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and Kihei Poultry LLC. Your Committee received testimony in opposition to this measure from the Department of Agriculture and Hawai'i Farm Bureau. Your Committee received comments on this measure from the University of Hawai'i System and Hawaii Cattlemen's Council, Inc.

Your Committee finds that state agricultural lands are a key resource that can be used to meet the State's goals for economic diversification and food self-sufficiency. In order to support farmers on these lands, the State subsidizes lessees by providing the leases below market rates and, in some cases, lower-cost agricultural water. This measure seeks to maximize the benefit to the State of agricultural lands through competition in lease dispositions by modifying requirements and restrictions related to the Department of Agriculture's dispositions of non-agricultural park lands.

Your Committee has amended this measure by:

- (1) Modifying the process for transferring and extending leases, including:
  - (A) Requiring the Department of Agriculture to first conduct a public notice to solicit interested applicants to a conditional sealed bid process open to all qualified applicants, subject to cancellation upon withdrawal of the request for transfer or extension; and
  - (B) Requiring the Department of Agriculture, in awarding a lease through the sealed bid process, to select the best-suited applicant in terms of meeting the Department's mission, whether the applicant is an existing or prospective lessee;
- (2) Setting the maximum term of leases at fifty years, rather than at thirty-five years, with a maximum extension of fifteen years;

- (3) Clarifying that the issuance of leases and the transfers and extensions of leases issued under this measure are prospective in nature;
- (4) Authorizing, rather than requiring, a lessee to submit certain documentation and an amended plan of development and utilization if seeking a modification of the lease or original plan of development and utilization due to a mental or physical disability or loss of a spouse;
- (5) Deleting the requirement that the Department of Agriculture may approve an amended plan described in paragraph (4) only if the plan meets standards with respect to productivity comparable to new leases being issued at that time;
- (6) Deleting the requirement that if the documentation or amended plan described in paragraph (4) is unsatisfactory to the Department of Agriculture, the lease must be terminated at that time;
- (7) Deleting the requirement that twenty-four months after the occurrence of a mental or physical disability or the loss of a spouse, the Department of Agriculture must review the lessee's progress toward implementation of the original or amended plan, as applicable, and that if the lessee is not following the original or amended plan, as applicable, the lease must be terminated at that time;
- (8) Changing its 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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1993, 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. 1993, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 655-22 Water & Land on H.B. No. 1989**

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 an agreement for the administration of a green jobs youth corps program to provide temporary work and training opportunities in the fields of natural resource management, agriculture, or other sustainability-related professions to young adults ages twenty-six or younger;
- (2) Require the Department of Land and Natural Resources to partner with an organization that has received accreditation from the Corps Center of Excellence Accreditation Program or has at least ten years of experience providing similar programming; and
- (3) Appropriate funds for administration of the green jobs youth corps program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i State Energy Office, Kupu, The Nature Conservancy - Hawai'i and Palmyra, Hawai'i's Thousand Friends, of Kua'āina Ulu 'Auamo, Hawai'i Green Fee, Hawaii Fish Company Inc., Re-use Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Act 9, Session Laws of Hawaii 2020, established a workforce and training program that, among other accomplishments, funded a short-term green jobs program. Your Committee further finds that Act 181, Session Laws of Hawaii 2021, subsequently authorized the Governor to designate the Department of Land and Natural Resources to administer or enter into an agreement or agreements for the administration of a green jobs youth corps program to provide temporary work and training opportunities in natural resource management, agriculture, conservation, renewable energy, or other sustainability professions, prioritizing participation by young adults between twenty and forty years of age. The nonprofit organization Kupu was selected to administer the green jobs youth corps program.

Under the green jobs youth corps program, known as the Kupu Aina Corps, over three hundred fifty displaced workers and recent graduates were matched with work and training opportunities across the State. Kupu's partnership with conservation and agricultural host sites enabled individuals to work in their own communities while also giving back to Hawaii's economy and environment. This measure supports the diversification of Hawaii's economy in partnership with a qualified community organization.

Your Committee has amended this measure by:

- (1) Amending the age requirement for participation in the green jobs youth corps program;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1989, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1989, 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. 656-22 Water & Land on H.B. No. 1954**

The purpose of this measure is to:

- (1) Make an emergency appropriation as a grant to the Honolulu Board of Water Supply for emergency operations, future planning, and remediation resulting from the contamination of the Southern Oahu Basal Aquifer; and
- (2) Require the Honolulu Board of Water Supply to submit reports to the Legislature on the expenditure of the funds, remediation efforts, and testing quality before the convening of the Regular Sessions of 2023, 2024, and 2025.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply, one member of the Hawai'i County Council, Environmental Caucus of the Democratic Party of Hawai'i, 350Hawaii.org, Our Revolution Hawaii, and three individuals. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, and Department of Land and Natural Resources.

Your Committee finds that the 2021 fuel leak at the United States Navy's Red Hill fuel storage facility on Oahu and subsequent groundwater contamination is an ongoing environmental and health crisis. Despite the Navy's agreement to drain the fuel storage tanks, the immediate threat of groundwater and aquifer contamination remains. Your Committee further finds that this measure is vitally important to the health, safety, and well-being of the people of Oahu.

Your Committee has amended this measure by:



- (1) Changing the means of funding from the Leaking Underground Storage Tank Fund established pursuant to section 342L-51, Hawaii Revised Statutes, to the general revenues of the State of Hawaii;
- (2) Not requiring the Department of Health to seek reimbursement from the United States Navy;
- (3) Changing the assistance to a grant-in-aid to the City and County of Honolulu Board of Water Supply, to be expended by the City and County of Honolulu rather than the Department of Health; 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. 1954, 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. 1954, H.D. 2.

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

#### **SCRep. 657-22 Water & Land on H.B. No. 2084**

The purpose of this measure is to facilitate development of housing for farmers and farm employees who actively and currently farm on important agricultural lands by:

- (1) Allowing landowners and lessees of important agricultural lands to apply to a county to develop, construct, and maintain farm cluster housing on the lands for rent to farmers and farm employees who actively and currently farm on the land;
- (2) Including farm cluster housing under a county priority permit processing procedure for facilities on lands designated as important agricultural lands; and
- (3) Removing a restriction on farm dwellings on important agricultural lands that is stricter than what is allowed under the definition of "farm dwelling" in section 205-4.5(a)(4), Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Agriculture; Office of Planning and Sustainable Development; Hawai'i Farm Bureau; Maui Chamber of Commerce; and one individual. Your Committee received comments on this measure from the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that Act 233, Session Laws of Hawaii 2008, established incentives to promote agricultural viability, sustained growth of the agricultural industry, and long-term use and protection of lands designated as important agricultural lands. Included among those incentives was an allowance for owners of important agricultural lands to develop, construct, and maintain farm dwellings and employee housing for farmers, employees, and their immediate family members, under certain conditions. Although intended as an incentive, your Committee finds that this allowance is actually more restrictive than the standard for farm dwellings and employee housing on agricultural lands that are not designated as important agricultural lands. This measure is necessary to correct this unintended discrepancy and to also allow important agricultural land owners and lessees to apply to the county to develop, construct, and maintain farm cluster housing to serve farmers and farm employees who actively and currently farm on the land.

Your Committee has amended this measure by:

- (1) Clarifying that each county is required to enact just one ordinance to allow farm cluster housing on important agricultural lands;
- (2) Providing that each county ordinance pertaining to farm cluster housing shall require the agricultural plan and verification of the real property tax agricultural dedication to first be reviewed and commented upon by the appropriate county agency and may require the plan and verification to be submitted to the Department of Agriculture for review and comment prior to county action on the application;
- (3) Clarifying that each farm cluster housing unit must not exceed eight hundred square feet of total floor area;
- (4) Exempting from the farm cluster housing incentives and requirements any county that already has a law that authorizes the development, construction, and maintenance of farm cluster housing or similar housing and imposes less restrictive requirements on that housing; 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. 2084, 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. 2084, H.D. 2.

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

#### **SCRep. 658-22 Consumer Protection & Commerce on H.B. No. 1774**

The purpose of this measure is to require health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Medical Association, and Hawaii Women Lawyers. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that at this time, a mammogram is the best way to find breast cancer for most women of screening age. Delays in diagnosis and treatment can have adverse health outcomes. According to the Hawaii Cancer Plan 2030, increasing breast cancer screening rates is a priority for the Centers for Disease Control and Prevention funded programs, Hawaii Breast and Cervical Cancer Control Program, and Hawaii Comprehensive Cancer Control Program in the Department of Health.

Your Committee further finds that ensuring a base level of coverage for breast cancer screening by providing coverage for mammograms is a means of ensuring that women obtain their exams routinely. In this manner, women are more apt to discover breast cancer at an early stage when treatment options have the best chance of success.

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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1774, 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. 1774, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

**SCRep. 659-22 Consumer Protection & Commerce on H.B. No. 2423**

The purpose of this measure is to require all state building construction projects and state highway projects to use building and construction materials that seek to reduce their carbon footprint, where feasible and cost effective.

Your Committee received testimony in support of this measure from the Department of Transportation, 350Hawaii.org, Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, and four individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that reducing a building's or highway's carbon footprint is increasingly important in building and highway design. This measure acknowledges the role building and construction materials can play in climate change mitigation and the sequestration of greenhouse gases. Your Committee further finds that the State must continue to actively explore new innovations for sustainability, which will also provide a greater opportunity for the State to achieve its goal of becoming carbon neutral by 2045.

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. 2423, 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. 660-22 Consumer Protection & Commerce on H.B. No. 2448**

The purpose of this measure is to:

- (1) Require the Department of Business, Economic Development, and Tourism to establish and maintain a statewide data hub to collect employer and employee data;
- (2) Authorize the Department of Business, Economic Development, and Tourism to determine the type of employer and employee data to collect, the functions of the statewide data hub, and access and document retention policies for the data; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Act 88, Session Laws of Hawaii 2021, abolished the Research and Statistics Office in the Department of Labor and Industrial Relations and transferred related positions and funding to the Department of Business, Economic Development, and Tourism. In 2021, the Federal Labor Research Program was also transferred to the Department of Business, Economic Development, and Tourism. The statewide data hub proposed by this measure will complement the existing work of the Federal Labor Research Program and provide the Department of Business, Economic Development, and Tourism with the authority to continue working with the federal government, Hawaii employers and employees, and other state agencies to collect and report Hawaii labor statistics on a timely basis.

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. 2448, 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. 661-22 Consumer Protection & Commerce on H.B. No. 2319**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to be responsible for all neighbor island inspection permit fees for service animals that are located in the State and are being transported for release at Kona, Kahului, or Lihue Airport; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and American Kennel Club. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee finds that because the Department of Agriculture's Animal Quarantine Holding Facility is located on Oahu, the animal inspection fee for service animals is waived for those travelers arriving at the Daniel K. Inouye International Airport. Residents and visitors who arrive at any other port of entry in the State with a service animal are required to pay the neighbor island inspection permit fee. Your Committee further finds that this measure will provide equity to persons with disabilities traveling with a service animal by requiring the Department of Agriculture to be responsible for neighbor island inspection fees for service animals arriving at the airports in Kona, Kahului, or Lihue.

However, your Committee acknowledges the concerns raised in testimony by the Department of Agriculture, that it lacks the staff or financial resources to perform or pay for inspections, and will therefore need a dedicated source of funding to accomplish the intent of this measure. The Department also noted that cost estimations for this measure may be challenging, as it does not control the fees that private veterinary facilities charge for neighbor island inspections.

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. 2319, 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. 662-22 Consumer Protection & Commerce on H.B. No. 2397**

The purpose of this measure is to:

- (1) Establish the Hawaii Broadband Infrastructure Authority;

- (2) Clarify the Hawaii Broadband and Digital Equity Office's role relating to broadband access and digital equity, including repealing the responsibility of the Office to promote the landing of trans-Pacific submarine cable; and
- (3) Appropriate federal funds.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities; Ocean Networks, Inc.; and one individual. Your Committee received testimony in opposition to this measure from Verizon and CTIA. Your Committee received comments on this measure from the Department of Transportation; Department of Business, Economic Development and Tourism; Department of Budget and Finance; Department of Commerce and Consumer Affairs; University of Hawai'i System; Office of Information Practices; Charter Communications; Hawaiian Telcom; and one individual.

Your Committee finds that the coronavirus disease 2019 pandemic brought to light the need for broadband infrastructure and digital equity throughout the State. Your Committee further finds that the federal government has identified having a robust broadband infrastructure as a priority and has dedicated funding for digital equity programs across the country. This measure would plan for the ideal use of expected federal funding, thereby allowing the State to better provide broadband services to all its residents.

Your Committee notes that the Department of Transportation raised suggestions in its written testimony before your Committee that the Board of the Hawaii Broadband Infrastructure Authority include the Director of Transportation as an ex officio member. This suggestion is in anticipation of the proposal that transportation infrastructure be considered for use as broadband infrastructure. Should this measure continue to advance in the legislative process, your Committee believes that further consideration be given to this suggestion.

Your Committee has amended this measure by:

- (1) Removing language that authorized the Hawaii Broadband Infrastructure Authority to collect data from communications service providers and wireless providers; and
- (2) Making technical, 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. 2397, 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. 2397, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har). Noes, none. Excused, 1 (Hashem).

#### **SCRep. 663-22 Health, Human Services, & Homelessness on H.B. No. 1570**

The purpose of this measure is to prohibit the sale or distribution of all flavored tobacco and synthetic nicotine products in the State.

Your Committee received testimony in support of this measure from the Department of Health; We Are One, Inc.; Hawaii Youth Services Network; Hawaii Children's Action Network Speaks!; Hawaii State Teachers Association; Hawaii Dental Association; American Lung Association in Hawaii; Hawaii COPD Coalition; Maui Preparatory Academy; Hawaii Association of Independent Schools; University of Hawaii Student Health Advisory Council; Blue Zones Project; Kaho'omiki; Friends of Kamalani and Lydgate Park; Keiki Injury Prevention Coalition; Hawaii Dental Hygienists' Association; American Cancer Society Cancer Action Network; Hamakua-Kohala Health; AlohaCare; Coalition for a Drug-Free Hawaii; 'Ohana Health Plan; Coalition for a Tobacco-Free Hawai'i; Hawai'i Public Health Association; The Man Cave; Pediatric Therapies Hawai'i; Hawaii Substance Abuse Coalition; Hawaii Primary Care Association; Hina Mauka; American Heart Association; Hawaii Job Corps; Kaiser Permanente Hawai'i; DreamHouse 'Ewa Beach; Coalition for a Tobacco-Free Hawai'i Youth Council; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Smokers Alliance; Cigar Association of America, Inc.; Retail Merchants of Hawaii; Consumer Choice Center; and fifteen individuals. Your Committee received comments on this measure from the Department of the Attorney General, The Taxpayers Protection Alliance, Hawaii Petroleum Marketers Association, Reason Foundation, and Hawaii Food Industry Association.

Your Committee finds that while the use of combustible cigarettes has declined over the past decade, there has been a dramatic increase in the use of electronic smoking devices by Hawaii's youth. Recent studies show that sixteen percent of middle school students and more than a quarter of high school students use electronic smoking devices; in the counties of Hawaii, Maui, and Kauai, these numbers exceed thirty percent, which is higher than the national average. Your Committee further finds that a significant driver of increased youth use of electronic smoking devices is the availability of flavored tobacco products, including flavors that are designed to appeal to the State's youth such as Maui mango and Molokai hot bread. Your Committee acknowledges that addressing the youth vaping epidemic in Hawaii necessitates a comprehensive, multi-faceted approach.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the preamble, other than the narrow purpose statement of this measure;
- (2) Requiring the Department of Health to post monthly updates on its website on all deposits into and expenditures from the Tobacco Enforcement Special Fund, Hawaii Tobacco Settlement Special Fund, and Hawaii Tobacco Prevention and Control Trust Fund;
- (3) Requiring the Department of Health to submit annual reports to the Legislature with an accounting of the receipts and expenditures from the Hawaii Tobacco Settlement Special Fund and Hawaii Tobacco Prevention and Control Trust Fund;
- (4) Requiring the Department of the Attorney General to monitor online sales of all tobacco products and electronic smoking device products and post monthly updates on its website regarding the estimated number of these products that have entered the State and how many products, by tonnage, have been confiscated;
- (5) Requiring the Department of Health to establish a standardized and scientific testing process for the presence of flavoring in all tobacco products and synthetic nicotine products and make the testing protocols and results available to the public;
- (6) Requiring the Department of Health, in collaboration with the Department of Education, to establish a take back program to collect and destroy all electronic smoking devices, flavored tobacco products or synthetic nicotine products, and tobacco products voluntarily disposed of by students on school property;
- (7) Requiring the Department of Health, in collaboration with the Department of Education, to establish quarterly meetings with students at all school complex areas and independent schools to seek input on addressing the youth vaping epidemic and post video recordings of these meetings on the Department of Health's website within seven calendar days of the meeting;
- (8) Changing the effective date to July 1, 2060, 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1570, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1570, 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, 1 (Ward).

**SCRep. 664-22 Health, Human Services, & Homelessness on H.B. No. 1762**

The purpose of this measure is to:

- (1) Require the Office of Language Access to submit an annual report to the Governor and Legislature regarding compliance with state and federal language access laws; and
- (2) Appropriate funds to establish Limited English Proficiency Language Coordinator positions in the Departments of Commerce and Consumer Affairs, Health, and Agriculture and the Hawaii Emergency Management Agency.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of Labor and Industrial Relations, Department of Human Services, Department of Health, Office of Community Services, Hawaii Friends of Civil Rights, Common Cause Hawaii, The Legal Clinic, Waipahu Safe Haven Center, Hawai'i Coalition for Immigrant Rights, Hawai'i Public Health Institute, Hawai'i Children's Action Network Speaks!, and nine individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, Office of Language Access, and Hawai'i Emergency Management Agency.

Your Committee finds that persons with limited English proficiency often face barriers in accessing important benefits and services, including access to health care and other public benefits, essential information during public health or safety emergencies, and access to earned benefits such as unemployment compensation or worker's compensation. Your Committee further finds that although the Office of Language Access was created in 2006 to address these language barriers, when a government entity fails to provide language access, the Office is only authorized to eliminate the language barrier through informal means. This measure strengthens the Office of Language Access's ability to ensure compliance with state and federal language access laws by requiring the Office to submit an annual report, which will provide the Governor and Legislature with timely information that is crucial in improving the State's efforts to enhance and promote language access.

Your Committee has amended this measure by:

- (1) Appropriating funds to establish three Limited English Proficiency Language Coordinator positions in the Office of Language Access to work with all state departments and agencies, rather than establishing separate coordinator positions in the Departments of Commerce and Consumer Affairs, Health, and Agriculture, and the Hawaii Emergency Management Agency;
- (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. 1762, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1762, 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, 1 (Ward).

**SCRep. 665-22 Health, Human Services, & Homelessness on H.B. No. 2405**

The purpose of this measure is to require health insurers, mutual benefit societies, and health maintenance organizations to provide applicants and health insurance policy holders with clear information on the policy's coverage of gender transition treatments and prohibit health insurers, mutual benefit societies, and health maintenance organizations from discriminating on the basis of gender identity.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Kumukahi Health + Wellness, Northwest Society of Plastic Surgeons, American Society of Plastic Surgeons, Hawai'i Health & Harm Reduction Center, Democratic Party of Hawai'i, The Lavender Clinic, Stonewall Caucus of the Democratic Party of Hawai'i, AF3IRM Hawai'i, Hawai'i Public Health Institute, and nineteen 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 Department of Commerce and Consumer Affairs, Hawaii Employer-Union Health Benefits Trust Fund, Kaiser Permanente Hawai'i, and Hawaii Association of Health Plans.

Your Committee finds that many transgender individuals have experienced discriminatory treatment from health insurance providers when seeking coverage for gender-affirming treatments. Your Committee further finds that health insurance policies often cover therapies such as feminizing or masculinizing hormone therapies, voice therapies, chest augmentations or reductions, and genital surgeries for other purposes but deny the same treatments for purposes of gender affirmation.

Your Committee acknowledges the concerns raised in testimony that legislatively mandating all gender-confirming treatments as medically necessary would remove physicians and primary care providers from the gender transition treatment process and believes further discussion on this measure is warranted.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the medical necessity for any treatment shall be based on evidence-based peer-reviewed medical guidance;
- (2) Permitting, rather than mandating, health insurers, mutual benefit societies, and health maintenance organizations to consider gender transition treatments medically necessary if those treatments are otherwise covered for purposes other than gender transition;
- (3) Removing smoking cessation therapies as a health care service related to gender transition;
- (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. 2405, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2405, 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, 1 (Ward).

**SCRep. 666-22 Health, Human Services, & Homelessness on H.B. No. 1933**

The purpose of this measure is to:

- (1) Establish rules of ethics applicable to persons who work with children pursuant to a contract with the State;
- (2) Establish additional procedures for persons contracted by the State to provide services to children, including fees, candor and fairness before a tribunal, standards of proof, and a process for filing complaints; and
- (3) Specify that the contracts of any person who violates the rules of ethics are voidable on behalf of the State.

Your Committee received testimony in support of this measure from the Hawai'i Appleseed Center for Law and Economic Justice, Hawaii Family Advocacy Team, and ten individuals.

Your Committee finds that families with children who are involved in Family Court custody matters are often in the midst of stressful and uncomfortable situations. The stress of these situations is often exacerbated when one side feels they are not being treated fairly or are being discriminated against or that there is bias in the process. Your Committee further finds that although the State hires various professionals to provide evaluations, fact finding, and other information relating to the children involved in custody matters, there are no rules of ethics that these contracted professionals are bound to follow. This measure will provide accountability for those professionals by establishing a rule of ethics for persons contracted by the State to work with children and will help families who are disproportionately involved in custody disputes.

Your Committee has amended this measure by:

- (1) Expanding the category of persons covered by the rules of ethics to include persons who are assigned, delegated, ordered, appointed, or in any other act allowed by a state agency to provide services to a child; and
- (2) Making technical, 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. 1933, 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. 1933, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 1 (Ward).

**SCRep. 667-22 Health, Human Services, & Homelessness/Transportation on H.B. No. 2338**

The purpose of this measure is to:

- (1) Appropriate funds from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2022-2023; and
- (2) Authorize the Department of Health to expend these funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committees received testimony in support of this measure from the Department of Health, Department of Transportation, Honolulu Police Department, and Mothers Against Drunk Driving Hawaii.

Your Committees find that Act 196, Session Laws of Hawaii 2021 (Act 196), among other things, established the State Drug and Alcohol Toxicology Testing Laboratory Special Fund to be used for the cost of establishing a State Drug and Alcohol Toxicology Testing Laboratory. A drug and alcohol toxicology testing laboratory within the State is needed to provide law enforcement and prosecutors with resources to protect the public from impaired drivers.

Your Committees further find that the State Drug and Alcohol Toxicology Testing Laboratory Special Fund was to be funded with monies appropriated from the State Highway Fund; however, Act 196 failed to make this appropriation. This measure addresses that oversight by providing the Department of Health with startup funding from the State Highway Fund necessary to establish the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committees have amended this measure by:

- (1) Changing the appropriations from the State Highway Fund and State Drug and Alcohol Toxicology Testing Laboratory Special Fund to unspecified amounts;
- (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.

Should your Committee on Finance deliberate on this measure further, your Committees respectfully request that it consider appropriating \$400,000 from both the State Highway Fund and the State Drug and Alcohol Toxicology Testing Laboratory Special Fund for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

As affirmed by the records of votes of the members of your Committees on Health, Human Services, & Homelessness and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2338, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2338, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Gates).

Transportation: Ayes, 8. Noes, none. Excused, 1 (Matsumoto).

**SCRep. 668-22 Health, Human Services, & Homelessness/Transportation on H.B. No. 2339**

The purpose of this measure is to:

- (1) Make an emergency appropriation from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022; and
- (2) Authorize the Department of Health to expend these funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committees received testimony in support of this measure from the Department of Health, Department of Transportation, Honolulu Police Department, and Mothers Against Drunk Driving Hawaii.

Your Committees find that Act 196, Session Laws of Hawaii 2021 (Act 196), among other things, established the State Drug and Alcohol Toxicology Testing Laboratory Special Fund to be used for the cost of establishing a State Drug and Alcohol Toxicology Testing Laboratory. Hawaii is the only state in the country without its own toxicology laboratory. Consequently, drug and alcohol toxicology testing must currently be outsourced to the mainland.

Your Committees further find that although the special fund was to be funded with monies appropriated from the State Highway Fund, Act 196 failed to make this appropriation. This measure addresses that oversight by making an emergency appropriation to the Department of Health for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committees have amended this measure by:

- (1) Changing the emergency appropriations from the State Highway Fund and State Drug and Alcohol Toxicology Testing Laboratory Special Fund to unspecified amounts;
- (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.

Should the Committee on Finance deliberate on this measure further, your Committees respectfully request that it consider making an emergency appropriation of \$2,000,000 from both the State Highway Fund and the State Drug and Alcohol Toxicology Testing Laboratory Special Fund for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

As affirmed by the records of votes of the members of your Committees on Health, Human Services, & Homelessness and Transportation that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2339, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2339, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Gates).

Transportation: Ayes, 8. Noes, none. Excused, 1 (Matsumoto).

#### **SCRep. 669-22 Health, Human Services, & Homelessness/Higher Education & Technology on H.B. No. 1549**

The purpose of this measure is to appropriate funds to the Department of Health to fund the Hawaii State Loan Repayment Program administered by the John A. Burns School of Medicine.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations; John A. Burns School of Medicine at the University of Hawai'i at Manoa; Hawai'i State Center for Nursing; Hawaii Health Systems Corporation, East Hawaii Region; Hawaii Psychiatric Medical Association; Kaiser Permanente Hawai'i; Hawai'i Pacific Health; Hawai'i State Rural Health Association; Hawaii Medical Association; Hawaii Primary Care Association; The Queen's Health Systems; Healthcare Association of Hawaii; and seven individuals. Your Committees received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committees find that the John A. Burns School of Medicine currently administers the Hawaii State Loan Repayment Program, which provides student loan repayments for health care professionals who agree to work in a federally-designated health professional shortage area. This program leverages public funds and private donations to access matching federal funds through the National Health Service Corps State Loan Repayment Program of the United States Department of Health and Human Services. Since September 1, 2012, the loan repayment program has supported sixty-four recipients in exchange for work commitments in underserved geographic practice areas in Hawaii, eighty-three percent of whom have remained in the State to practice.

Your Committees further find that an investment of state matching funds would enable the John A. Burns School of Medicine to draw as much federal money as possible and allow the program to provide loan repayment to more health care professionals, which will help in the ongoing efforts to alleviate the health care professional shortages in the State.

Your Committees have amended this measure by:

- (1) Changing the appropriation 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.

Your Committees respectfully request that should your Committee on Finance deliberate on this measure further, that it consider appropriating \$500,000 for fiscal year 2022-2023 for the Hawaii State Loan Repayment Program; provided that the funds are matched by funds from a private or another public source.

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. 1549, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1549, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Higher Education & Technology: Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 670-22 Health, Human Services, & Homelessness/Higher Education & Technology on H.B. No. 1548**

The purpose of this measure is to appropriate funds to the John A. Burns School of Medicine to expand medical school and residency training through the United States Department of Veterans Affairs graduate medical education programs.

Your Committees received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Manoa, Hawaii Psychiatric Medical Association, Hawai'i State Rural Health Association, Healthcare Association of Hawaii, Hawaii Primary Care Association, Hawai'i Pacific Health, The Queen's Health Systems, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that many Hawaii residents are unable to obtain timely and appropriate health care due to shortages of health care providers in the State. Your Committees further find that there is strong collaboration between the John A. Burns School of Medicine and the United States Department of Veterans Affairs. The Department of Veterans Affairs currently invests in Hawaii-based residency positions using a separate federal pool of support. Expanding capacity for training medical students and residents through the Department of Veterans Affairs, including the recruitment of additional practicing faculty to Veterans Affairs health care facilities in the State, will leverage health care delivery capacity and the retention of medical students and residents as practicing physicians in Hawaii.

Your Committees have amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

Should your Committee on Finance deliberate on this measure further, your Committees respectfully request that it consider appropriating \$6,700,000 to expand medical school and residency training through the Department of Veterans Affairs graduate medical education 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. 1548, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1548, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Higher Education & Technology: Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 671-22 Health, Human Services, & Homelessness/Higher Education & Technology on H.B. No. 1419**

The purpose of this measure is to require the Office of Enterprise Technology Services to develop, publish, and periodically update electronic information technology disability access standards.

Your Committees received testimony in support of this measure from the Executive Office on Aging, Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, and five individuals. Your Committees received comments on this measure from the Office of Enterprise Technology Services.

Your Committees find that electronic information technology has rapidly replaced conventional printed communications in the areas of employment, education, and receipt of services. Your Committees further find that the implementation of new technologies and procedures across various state entities is not consistently or cost-effectively made accessible to individuals with disabilities. This measure establishes a process to improve accessibility for electronic information technology, which will ensure that all Hawaii residents can participate in and benefit equally from state programs and services.

Your Committees have amended this measure by:

- (1) Clarifying the 2023 deadlines by which the Office of Enterprise Technology must publish, and by which state entities must adopt, preliminary electronic information technology accessibility standards;
- (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 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. 1419, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1419, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Higher Education & Technology: Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 672-22 Health, Human Services, & Homelessness/Higher Education & Technology on H.B. No. 1547**

The purpose of this measure is to appropriate funds to the John A. Burns School of Medicine to expand graduate medical education programs to the neighbor islands.

Your Committees received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Manoa, Hawaii Psychiatric Medical Association, Kaiser Permanente Hawai'i, Hawaii Medical Association, Healthcare Association of Hawaii, Hawaii Primary Care Association, Hawai'i Pacific Health, The Queen's Health Systems, and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that many Hawaii residents are unable to obtain timely and appropriate health care due to shortages of health care providers in the State. In particular, the State's neighbor islands, which have been designated by the federal government as medically underserved areas, have been disproportionately impacted by shortages of physicians in all practice areas.

Your Committees further find that eighty percent of graduates of the John A. Burns School of Medicine who complete their medical school and residency in the State, also known as their graduate medical education, remain in Hawaii to practice. Additionally, medical residents who train on the neighbor islands are more likely to remain and subsequently practice on the neighbor islands. This measure appropriates funds to the John A. Burns School of Medicine to expand residency training opportunities on the neighbor islands, which will help acquaint graduate physicians with practicing medicine in rural settings and enlarge the physician presence in these areas.

Your Committees have amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2060, to encourage further discussion.

Should the Committee on Finance deliberate on this measure further, your Committees respectfully request that it consider appropriating \$6,700,000 to expand graduate medical education programs to the neighbor islands.

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. 1547, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1547, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Higher Education & Technology: Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 673-22 Health, Human Services, & Homelessness/Higher Education & Technology on H.B. No. 1550**

The purpose of this measure is to reestablish the Hawaii Medical Education Special Fund to enable the John A. Burns School of Medicine, in consultation with the Hawaii Medical Education Council, to provide funding for graduate medical education and training programs in the State.

Your Committees received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai‘i at Manoa, Hawaii Psychiatric Medical Association, Hawaii Primary Care Association, Hawaii Medical Association, Hawai‘i State Rural Health Association, and Hawai‘i Pacific Health. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the Hawaii Medical Education Council is tasked with overseeing the State's graduate medical education programs and the programs' ability to meet Hawaii's health care workforce requirements. According to the University of Hawaii's 2022 Annual Report on the Hawaii Medical Education Council, graduate medical education programs, especially those in primary care, geriatrics, adult and child psychiatry, and addiction, serve a high proportion of the most vulnerable populations in the State.

Your Committees further find that ongoing funding of graduate medical education is vital to address the physician shortage in the State. Reestablishing the Hawaii Medical Education Special Fund, to be utilized as a means of funding graduate medical education and training, is a key component that can support the expansion of graduate medical education positions.

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 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. 1550, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1550, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Ward).

Higher Education & Technology: Ayes, 12. Noes, none. Excused, none.

#### **SCRep. 674-22 Government Reform on H.B. No. 1909**

The purpose of this measure is to require the State Procurement Office to give preference to a bank or credit union domiciled in Hawaii to provide services for a purchasing card program.

Your Committee received testimony in support of this measure from Na Po‘e Kokua and two individuals. Your Committee received testimony in opposition to this measure from the State Procurement Office.

Your Committee finds that it is important that the state government utilize local businesses and entities whenever practically possible to direct the State's vast internal operational resources toward supporting Hawaii's economic infrastructure. Additionally, your Committee finds that locally chartered financial institutions invest more predominantly in Hawaii thereby creating opportunities for Hawaii's families and businesses. Your Committee further finds that by giving a special bid preference to local financial institutions for the State's financial service contracts, like in other areas of the country, it would serve the fairness and balance of the Hawaii Public Procurement Code while protecting the State's interests.

Your Committee has amended this measure by:

- (1) Broadening the requirement for the State Procurement Office to give preference to a bank or credit union domiciled in Hawaii to provide services to include providing for all state financial services;
- (2) Requiring the preference to evaluate, along with any other published criteria in the solicitation, considerations including but not limited to community ratio investments, financial reserves, customer service history within the State, obligations to the State, as well as other criteria determined by the State Procurement Office or other contracting agency;
- (3) Establishing the bid preference requirement within existing law that encourages the use of Hawaii products by bidders to support the local industry;
- (4) Changing its effective date to July 1, 2112, 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. 1909, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1909, H.D. 2, and be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 675-22 Judiciary & Hawaiian Affairs on H.B. No. 1768**

The purpose of this measure is to exempt the instream use of water for traditional and customary kalo cultivation practices, as well as for commercial kalo cultivation that is conducted in a manner consistent with traditional and customary Native Hawaiian practices, from the existing process for disposition of water rights.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Department of Hawaiian Home Lands, Mayor of the County of Kauai, one member of the Hawai‘i County Council, one member of the Kaua‘i County Council, Department of Planning of the County of Kaua‘i, Sierra Club of Hawai‘i, Kua‘āina Ulu ‘Auamo, Wai‘oli Valley Taro Hui, ‘Ahahui o nā Kauka, Hawai‘i Alliance for Progressive Action, Waipā Foundation, Hui o Nā Wai ‘Ehā, Hanalei Hawaiian Civic Club, Papa Ola Lōkahi, ‘Ai Pohaku, Kanaeokana, Council for Native Hawaiian Advancement, and eighteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that kalo is integral to the Hawaiian culture and a staple of the Native Hawaiian diet. Water and water rights are central to wetland kalo cultivation. This measure provides support for traditional and customary kalo cultivation practices by exempting the instream use of water for these practices from the existing process for disposition of water rights.

As 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. 1768, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 676-22 Judiciary & Hawaiian Affairs on H.B. No. 1434**

The purpose of this measure is to authorize counties, after the adoption of ordinances, to sell property after all notices, orders, and appeal proceedings are exhausted to pay for:



- (1) The cost to the county of removing and completing necessary work related to any public nuisance, refuse, or uncultivated undergrowth; and
- (2) Unpaid civil fines related to that property.

Your Committee received testimony in support of this measure from two members of the Honolulu City Council and the Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that authorizing the counties to collect on liens filed on properties through a non-judicial foreclosure process provides some leverage over property owners to comply or lose their property. If a property owner fails to comply and the property is foreclosed upon, this measure would enable the property to be put to productive use, allow liens attached to the property to be satisfied, and stop the accrual of additional debt or taxes on the property. This measure addresses the need of the counties to bring closure to pending civil fines imposed on property owners who are in violation of county land use and building ordinances.

As 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. 1434, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 677-22 Judiciary & Hawaiian Affairs on H.B. No. 2208**

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) Adopt procedural requirements before the filing of a civil action for childhood sexual abuse; and
- (3) 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 Hawai'i State Commission on the Status of Women, Hawaii State Democratic Women's Caucus, CHILD USA, CHILD USA Advocacy, National Association of Social Workers - Hawai'i Chapter, The Hawaiian Islands Association for Marriage and Family Therapy, Hawai'i Psychological Association, and five individuals. Your Committee received testimony in opposition to this measure from Indigenous Consultants, LLC; and Hawaii Association for Justice. Your Committee received comments on this measure from the Department of the Attorney General, Talbert Law LLC, Sex Abuse Treatment Center, and two individuals.

Your Committee finds that in the United States, one in five girls and one in twenty boys is a victim of childhood sexual abuse. Studies show that between sixty percent and eighty percent of survivors withhold disclosure. Under this measure, the statute of limitations for victims of child sexual abuse to bring a civil claim for monetary damages against any person would be extended from eight years to thirty-two years after the eighteenth birthday of the victim and from three years to five years after the date the victim discovers or reasonably should have discovered that psychological injury or illness occurring after the victim's eighteen birthday was caused by the sexual abuse, whichever occurs later. This legislation is particularly important for survivors of child sexual abuse as many children do not disclose sexual abuse immediately after the abuse occurs and instead many delay disclosure for years, often until adulthood.

As 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. 2208, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 678-22 Judiciary & Hawaiian Affairs on H.B. No. 1891**

The purpose of this measure is to adopt the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Laws and one individual. Your Committee received comments on this measure from the Hawaii Association for Justice.

Your Committee finds that the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act, as provided in this measure, will encourage enforcement of Canadian domestic violence protection orders in the State. If enacted, a law enforcement officer, upon finding probable cause that a valid order was violated, must enforce the provisions of the Canadian order. Your Committee further finds that this uniform act was developed by the National Conference of Commissioners on Uniform State Laws with input from judges and practicing lawyers from the United States and Canada. To date, seven states, including California and Nevada, have enacted the uniform law provided in this measure.

As 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. 1891, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 679-22 Judiciary & Hawaiian Affairs on H.B. No. 2444**

The purpose of this measure is to condition the authority of a county whose population is greater than five hundred thousand to exercise the same state housing powers as those granted to the Hawaii Housing Finance and Development Corporation on a finding that the county has fulfilled its duty to accept dedication of public infrastructure and public highways in affordable housing developments.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that this measure takes steps to address a thirty-year-old problem that has existed at the Villages of Kapolei, where the City and County of Honolulu has not accepted dedication of infrastructure improvements constructed by a Hawaii Housing Finance and Development Corporation predecessor agency. Your Committee further finds that although the City and County of Honolulu receives the real property tax revenues derived, in part, from the State's infrastructure improvements, the Hawaii Housing Finance and Development Corporation must maintain those same improvements at an average cost to the Dwelling Unit Revolving Fund of more than \$1,000,000 per year. This measure will enable the Hawaii Housing Finance and Development Corporation to make better use of the funds in the Dwelling Unit Revolving Fund for the development of new infrastructure for affordable housing projects 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. 2444, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, none.

**SCRep. 680-22 Judiciary & Hawaiian Affairs on H.B. No. 2169**

The purpose of this measure is to clarify that:

- (1) The Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in procuring civil identification cards, rather than issue civil identification cards; and
- (2) The Department of Public Safety must initiate the process of assisting an inmate obtain a civil identification card, birth certificate, social security card, and any other relevant identification documents ninety days before the inmate is being released to work furlough, extended furlough, or community placement programs if the inmate requests assistance after being notified that assistance is available.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Community Alliance on Prisons, Women's Prison Project, and one individual. Your Committee received comments on this measure from Common Cause Hawaii, American Civil Liberties Union of Hawai'i, and one individual.

Your Committee finds that procuring a civil identification card is essential for inmates as they transition back into society. Without a civil identification card, inmates leaving correctional facilities face extreme challenges securing employment and housing, registering for school, opening bank accounts, and accessing other benefits, such as health care, that are critical to successful integration into the community. This measure supports successful offender reentry.

As 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. 2169, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, none.

**SCRep. 681-22 Judiciary & Hawaiian Affairs on H.B. No. 2495**

The purpose of this measure is to prohibit an employer from entering into or requiring an employee to enter into a nondisclosure agreement that prevents the employee from disclosing or discussing sexual harassment or sexual assault occurring in the workplace, at work-related events, between employees, or between an employer and an employee.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Civil Rights Commission, Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Hawaii State Democratic Women's Caucus, Hawai'i Women Lawyers, and two individuals.

Your Committee finds that maintaining and fostering a safe work environment that is respectful and free from workplace harassment, intimidation, and assault are important to ensuring the safety and dignity of all employees. Prohibiting employers from using nondisclosure agreements to suppress disclosure of sexual harassment or sexual assault occurring in the work environment provides enhanced protections and supports a safe and positive work environment for all 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 is in accord with the intent and purpose of H.B. No. 2495, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, none.

**SCRep. 682-22 Judiciary & Hawaiian Affairs on H.B. No. 1585**

The purpose of this measure is to reform the legal framework governing emergency management in the State by:

- (1) Clarifying that the powers granted for emergency purposes shall not be inconsistent with the state constitution;
- (2) Providing parameters for the duration of the suspension of laws and require justification for the suspension;
- (3) Authorizing the Governor to require counties to obtain the Governor's approval or the approval of the Director of the Hawaii Emergency Management Agency before issuing any emergency order, rule, or proclamation;
- (4) Clarifying that a state of emergency may be extended or terminated by a separate or supplementary proclamation;
- (5) Authorizing the Legislature to terminate a state of emergency, in part or in whole, by a two-thirds vote of each legislative house; and
- (6) Specifying that prohibitions on price increases of essential commodities during a severe weather warning expire seventy-two hours after the effective date and time of the initial declaration or any supplemental proclamation.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; State of Hawaii Organization of Police Officers; and United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party. Your Committee received comments on this measure from the Hawaii Emergency Management Agency, Common Cause Hawaii, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that come March 2022, it will be two years since the Governor issued the first emergency proclamation declaring a state of emergency to support ongoing State and county responses to COVID-19. Your Committee further finds that the dire impacts of the pandemic on all aspects of everyday life, as well as the economic, social, and health disruptions caused by the pandemic, were unprecedented and necessitated certain emergency actions to deal with the pandemic. However, your Committee finds that the broad emergency powers of the Governor during a state of emergency and extended emergency period warrant scrutiny. This measure will ensure that there are checks and balances in place during a state of emergency to protect the health, safety, and welfare of 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 is in accord with the intent and purpose of H.B. No. 1585, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, 1 (D. Kobayashi). Excused, none.

**SCRep. 683-22 Judiciary & Hawaiian Affairs on H.B. No. 2006**

The purpose of this measure is to require certain identifying information to be attached to a sandbag as a condition for an emergency permit for the installation of the sandbag.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that emergency permits for temporary sandbags have been authorized as necessary to mitigate coastal erosion in the State. However, your Committee further finds that there are a number of structures that are not in compliance with their emergency permit conditions and may be dangerous or detrimental to the environment. Your Committee believes that there should be methods in place, such as requiring certain identifying information to be attached to a sandbag, that can hold all permittees accountable for the type of device or structure installed to ensure compliance with permit conditions.

As 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. 2006, 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 (Nakamura).

**SCRep. 684-22 Judiciary & Hawaiian Affairs on H.B. No. 1426**

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 Campaign Spending Commission's preliminary determination; and
- (2) Authorize the Campaign Spending Commission to have the Commission's order confirmed as a non-appealable 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 and Common Cause Hawaii.

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 H.B. No. 1426, 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 (Nakamura).

**SCRep. 685-22 Judiciary & Hawaiian Affairs on H.B. No. 2303**

The purpose of this measure is to specify that certain deliberative and pre-decisional materials that are a direct part of a government agency's internal decision-making process are not subject to disclosure under the Uniform Information Practices Act if the disclosure would impair the agency's ability to make sound and fair decisions, but only to the extent that the impairment outweighs public interest in disclosure.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Budget and Finance, Employees' Retirement System Board of Trustees, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from The Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Hawaii Chapter of the Society of Professional Journalists, Common Cause Hawaii, Community Alliance on Prisons, and five individuals. Your Committee received comments on this measure from the Office of Information Practices and Grassroot Institute of Hawaii.

Your Committee finds that requiring disclosures of all discussions and perspectives during a deliberative process would inhibit free and candid discussion within government agencies, including preventing the discussion of alternative views out of fear of repercussion. Your Committee believes this measure strikes an appropriate and needed balance between the public's interest in disclosure of information and the public's need for government entities to be able to deliberate toward well-informed, stress-tested, and thoughtful decisions.

As 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. 2303, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (D. Kobayashi). Excused, 1 (Nakamura).

**SCRep. 686-22 Judiciary & Hawaiian Affairs on H.B. No. 2180**

The purpose of this measure is to repeal obsolete or unnecessary provisions relating to Kewalo Basin use permits, Honolulu Harbor use permits, and the maintenance of fire boats.

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

Your Committee finds that there are certain provisions in existing law relating to Kewalo Basin and Honolulu Harbor use permits under the Department of Transportation that are no longer necessary. 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2180 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

**SCRep. 687-22 Consumer Protection & Commerce on H.B. No. 2248**

The purpose of this measure is to amend the definition of "private school" under the State's compulsory attendance law to require unlicensed but accredited private schools to annually submit health and safety documentation to the Hawaii Council of Private Schools or the Hawaii Catholic Schools Office.

Your Committee received testimony in support of this measure from the Hawaii Association of Independent Schools and Hawaii Catholic Schools.

Your Committee finds that licensed schools in the State must submit annual verifications of health and safety information documents required by various state and county agencies. However, schools that are accredited but not licensed are not required to submit these annual verifications. Rather, this documentation is only verified during reaccreditation visits every five to ten years. This measure increases transparency and accountability in the operation of private schools and helps ensure that private schools follow best practices regarding student health and safety.

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. 2248, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

#### **SCRep. 688-22 Consumer Protection & Commerce on H.B. No. 2434**

The purpose of this measure is to require each water carrier to file a strategic plan with the Public Utilities Commission every five years.

Your Committee received testimony in support of this measure from the Department of Agriculture, Public Utilities Commission, and Ulupono Initiative. Your Committee received comments on this measure from Young Brothers, LLC.

Your Committee finds that the water cargo transportation industry is critical to the State's economic health. Your Committee further finds that the interisland transportation of goods and property is a lifeline for residents and businesses in the State. Requiring each water carrier to file a strategic plan every five years that identifies measurable actions focused on the water carrier's services, goals, and initiatives will help facilitate achievement of certain strategic goals that balance the need for continuous interisland water carrier service with the need for water carriers to maintain financial sustainability.

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. 2434, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

#### **SCRep. 689-22 Consumer Protection & Commerce on H.B. No. 2239**

The purpose of this measure is to increase, from fifty percent to ninety percent, the minimum number 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.

Your Committee received testimony in opposition to this measure from NAIOP Hawaii.

Your Committee finds that homeownership provides several benefits to homeowners, including a permanent place of residence, financial stability, long-term social benefits, and a sense of community. This measure increases the minimum number of residential units in a condominium project that must be offered for sale to prospective owner-occupants in a certain time period following the initial date of sale of the condominium, which may help alleviate supply shortages in Hawaii's housing market.

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. 2239, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

#### **SCRep. 690-22 Consumer Protection & Commerce on H.B. No. 1570**

The purpose of this measure is to:

- (1) Require the Department of Health to post monthly updates on its website on all deposits into and expenditures from the Tobacco Enforcement Special Fund, Hawaii Tobacco Settlement Special Fund, and Hawaii Tobacco Prevention and Control Trust Fund;
- (2) Require the Department of Health to submit annual reports to the Legislature that provide an accounting of the receipts and expenditures from the Hawaii Tobacco Settlement Special Fund and Hawaii Tobacco Prevention and Control Trust Fund;
- (3) Require the Department of the Attorney General to monitor all online sales of all tobacco products and electronic smoking devices and post monthly updates on its website regarding the estimated number of these products that have entered the State and how many products, by tonnage, have been confiscated;
- (4) Require the Department of Health to establish standardized and scientific testing protocols for the presence of flavoring in all tobacco products and synthetic nicotine products and make the testing protocols and results available to the public on its website;
- (5) Prohibit the sale or distribution of all flavored tobacco and synthetic nicotine products in the State;
- (6) Require the Department of Health, in collaboration with the Department of Education, to establish a take back program to collect and destroy all electronic smoking devices, flavored tobacco or synthetic nicotine products, and tobacco products voluntarily disposed of by students on public school property; and
- (7) Require the Department of Health, in collaboration with the Department of Education, to establish quarterly meetings with students at all school complex areas and independent schools to seek input on addressing the youth vaping epidemic.

Your Committee received testimony in support of this measure from the Department of Education; Hawaii State Teachers Association; Keiki Injury Prevention Coalition; Hawaii Youth Services Network; Friends of Kamalani and Lydgate Park; Hawaii Dental Association; Hawaii Association of Independent Schools; Hawai'i Public Health Association; a petition from principals of the Department of Education; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General; Department of Health; Hawaii Smokers Alliance; Smokey's Pipe and Coffee; Americans for Tax Reform; BLVK E-Liquid; JOCOR Enterprises, LLC; ABC Stores; 7 Daze MFG; The Consumer Advocates for Smoke-free Alternatives Association; Mod in Hawaii Alternatives LLC; VOLCANO Vape Shops; KHI Inc.; Retail Merchants of Hawaii; Smoke-Free Alternatives Trade Association; and numerous individuals. Your Committee received comments on this measure from the University of Hawaii Student Health Advisory Council; Hawaii COPD Coalition; American Heart Association; Hawai'i Children's Action Network Speaks!; Blue Zones Project; Reason Foundation; Get Fit Kauai; Maui Preparatory Academy; 'Ohana Health Plan; American Lung Association in Hawaii; Hawaii Petroleum Marketers Association; American Cancer Society Cancer Action Network; Coalition for a Tobacco-Free Hawai'i; AlohaCare; Coalition for a Tobacco-Free Hawai'i's Youth Council; We Are One, Inc.; The Man Cave; Pediatric Therapies Hawai'i; Hawaii Food Industry Association; Consumer Center of The Taxpayers Protection Alliance; and numerous individuals.

Your Committee finds that the use of flavored tobacco products and electronic smoking devices by youth have swelled to epidemic levels. The usage rate of electronic smoking devices amongst youth in the State is prevalent with 30.6 percent of public high school students and eighteen percent of public middle school students reporting that they use electronic smoking devices. The usage rate is even more concerning on the neighbor islands, where thirty-four percent of students in Hawaii County and thirty-two percent in Kauai County reporting to be regular users.

Your Committee further finds that an expansive catalog of flavors is one of the main reasons why there is a rise in the use of tobacco products and electronic smoking devices by youth. Electronic smoking devices and flavored tobacco products have been glamorized and promoted in a manner to appeal to youth, using flavors like candy, fruit, Maui mango, and shaka strawberry. The majority of youth who use electronic smoking devices report using a flavored product.

Your Committee notes that the Department of the Attorney General raised concerns in its testimony that several provisions of this measure may be beyond the scope of the single subject expressed in its title. Your Committee believes that this concern should be given further consideration as this measure advances through the legislative process.

Your Committee further notes that the Departments of the Attorney General and Health expressed reservations in their testimony about certain provisions in this amended measure. Specifically, the departments have raised concerns that certain components may be infeasible or impractical to implement.

These concerns notwithstanding, your Committee believes that the scale of the youth vaping epidemic necessitates continuing discussion and deliberation with the intent to reach an agreeable solution to curb the usage of tobacco products and electronic smoking devices by youth. As such, your Committee believes that this measure should advance through the legislative process to continue those discussions and ensure that a vehicle is available in the event an agreeable solution is achieved.

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. 1570, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Onishi, Tarnas). Noes, 1 (Kong). Excused, none.

#### **SCRep. 691-22 Consumer Protection & Commerce on H.B. No. 2514**

The purpose of this measure is to prohibit the operation of underground storage tanks with a capacity greater than one hundred thousand gallons.

Your Committee received testimony in support of this measure from the Department of Health; Honolulu Board of Water Supply; Surfrider Foundation Hawai'i Region; Protect Kaho'olawe 'Ōhāna; Sierra Club of Hawai'i; Hawai'i Alliance for Community-Based Economic Development; 350Hawaii.org; Aloha 'Āina Legal Group, LLC; 'Ahahui o nā Kauka; Our Revolution Hawaii; Livable Hawaii Kai Hui; Hawai'i Alliance for Progressive Action; Hawai'i Public Health Institute; Environmental Caucus of the Democratic Party of Hawai'i; Environmental Justice Task Force of Faith Action for Community Equity; and numerous individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

Your Committee finds that there are leakage risks associated with underground storage tanks that contain hazardous materials, with large capacity underground storage tanks presenting a higher potential for large leakage events. Water contamination from leaky underground storage tanks can have a devastating impact on the environment and directly impacts the health and quality of life of Hawaii residents. This measure seeks to prohibit the operation of underground storage tanks with a capacity greater than one hundred thousand gallons, which will reduce the risk of potential contamination of the State's potable drinking water sources.

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. 2514, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 692-22 Consumer Protection & Commerce on H.B. No. 1886**

The purpose of this measure is to:

- (1) Ban hemp products that contain cannabinoids created through isomerization, including Delta 8 tetrahydrocannabinol; and
- (2) Add Delta 8 tetrahydrocannabinol to the list of schedule I controlled substances.

Your Committee received testimony in support of this measure from the Department of Health, Honolulu Police Department, and Mothers Against Drunk Driving Hawaii.

Your Committee finds that Delta 8 tetrahydrocannabinol (Delta 8 THC) is a psychoactive substance found in the *Cannabis sativa* plant. While Delta 8 THC is naturally produced in the cannabis plant, it is not found in significant amounts. As a result, concentrated amounts of Delta 8 THC are typically manufactured from hemp-derived cannabidiol.

Your Committee further finds that Delta 8 THC products have not been evaluated or approved by the United States Food and Drug Administration for safe use in any context and may be marketed in a manner that puts the public health at risk. This measure protects the public by prohibiting hemp products that contain Delta 8 THC and adding Delta 8 THC to the list of schedule I controlled substances.

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. 1886, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 693-22 Consumer Protection & Commerce on H.B. No. 1743**

The purpose of this measure is to define "pools" for the purposes of the Department of Health's authority to adopt rules concerning public health and safety.

Your Committee received testimony in support of this measure from the Department of Health, Department of Parks and Recreation of the City and County of Honolulu, and one individual.

Your Committee finds that the Department of Health is statutorily authorized to regulate the location, air space, ventilation, sanitation, drainage, sewage disposal, and other health conditions of pools. Under existing Department of Health administrative rules, pools are required to meet certain residual disinfectant requirements to lower the risk of communicable disease transmission and turnover rates to ensure that proper filtering of water is occurring at all times.

Your Committee further finds that because certain man-made structures, such as man-made lagoons, are not constructed the same as a public swimming pool they should not be subject to the same residual disinfectant and turnover requirements as public swimming pools. This measure therefore clarifies that certain structures do not fall under the regulation of "pools".

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. 1743, 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 (Aquino).

#### **SCRep. 694-22 Consumer Protection & Commerce on H.B. No. 1525**

The purpose of this measure is to update the reporting requirements for state departments in meeting programmatic goals for the purchase and procurement of locally sourced products.

Your Committee received testimony in support of this measure from the Department of Education; Local Food Coalition; Hawai'i Farm Bureau; Hawai'i Cattlemen's Council, Inc.; Hawai'i Farm to School Hui; Hawai'i Alliance for Progressive Action; and two individuals. Your Committee received comments on this measure from Ulupono Initiative.

Your Committee finds that supporting local businesses and encouraging the production and use of local agriculture ensures a thriving local economy. Your Committee further finds that, to facilitate these goals, the State enacted Act 175, Session Laws of Hawaii 2021, which established a thirty percent goal for locally sourced products in school meals by 2030, and Act 176, Session Laws of Hawaii 2021, which established graduating goals for the purchase of local produce up to 2050. Pursuant to both Acts, state agencies are required to report on their progress toward attaining certain benchmarks each year. This measure will further clarify the reporting requirements for state agencies.

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. 1525, 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 (Aquino).

#### **SCRep. 695-22 Consumer Protection & Commerce on H.B. No. 2089**

The purpose of this measure is to:

- (1) Amend the definition of "renewable portfolio standard" to more accurately reflect the percentage of renewable electrical energy generated in the State; and
- (2) Expand the events or circumstances that are beyond an electric utility company's reasonable control to include non-renewable energy generated by electric generation facilities where the electric utility company does not have direct control or ownership.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Department of Transportation; Public Utilities Commission; Hawaii State Energy Office; Climate Protectors Hawai'i; Ulupono Initiative; Blue Planet Foundation; Hawaiian Electric Company; Hawaii Clean Power Alliance; and two individuals.

Your Committee finds that Hawaii statutorily committed to one hundred percent renewable energy sales in the State by 2045 through the enactment of Act 97, Session Laws of Hawaii 2015. However, the calculation of the renewable portfolio standard, which is based on electrical energy sales rather than electrical energy generation, overestimates the amount of renewable energy serving the State's electric utility customers. Amending the method by which the one hundred percent renewable energy goal is calculated will enable a more accurate determination of whether the State is truly achieving its goal of sourcing one hundred percent of its electricity from renewable sources.

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. 2089, 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 (Aquino).

#### **SCRep. 696-22 Consumer Protection & Commerce on H.B. No. 2147**

The purpose of this measure is to reinstate the Department of Health's authority to permit federal municipal solid waste landfills.

Your Committee received testimony in support of this measure from the Department of Health and County of Hawai'i Department of Environmental Management.

Your Committee finds that removal of the Department of Health's authority to permit federal municipal solid waste landfills not only removes regulatory oversight of the design, construction, and operation of federal municipal solid waste landfills, but also creates the loss of an approved municipal solid waste landfill permit program in accordance with federal regulations.

Your Committee further finds that under federal law and regulations, states must adopt and implement permit programs to ensure that each solid waste management facility program within each state obtain a permit and comply with applicable criteria. If Hawaii remains noncompliant, the Department of Health and the State may lose state program approval that allows for the ability to design, operate, close, and monitor landfills using alternative designs or methods to the federal standards that could be more suitable for local site conditions and be more cost-effective.

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. 2147, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

#### **SCRep. 697-22 Consumer Protection & Commerce on H.B. No. 1436**

The purpose of this measure is to expand the authority of the counties to regulate the transfer of development rights to protect lands that are vulnerable to climate change, including sea level rise, coastal erosion, storm surge, and flooding.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; and one member of the Maui County Council. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the impacts and hazards of climate change continue to pose a grim threat to the State. The changes in sea level rise, impacted by storm surges and flooding, leads to coastal erosion, exorbitant property damage, and loss of life. This measure strengthens the counties' ability to protect lands that are vulnerable to impacts and hazards caused by climate change and facilitates the potential movement of development away from at-risk areas to locations that are more appropriate for development.

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. 1436, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

**SCRep. 698-22 Finance on H.B. No. 1785**

The purpose of this measure is to require and appropriate funds for the Legislative Reference Bureau to conduct a study that identifies and analyzes alternative tourism governance systems and submit a report to the Legislature regarding potential tourism governance options for consideration.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, State Procurement Office, and Legislative Reference 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. 1785, 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. 699-22 Finance on H.B. No. 2092**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation Corporate Board of Directors; 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. 2092, 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. 700-22 Finance on H.B. No. 2093**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation Corporate Board of Directors; 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. 2093, 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. 701-22 Finance on H.B. No. 2094**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation Corporate Board of Directors; 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. 2094, 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. 702-22 Finance on H.B. No. 2095**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2095, 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. 703-22 Finance on H.B. No. 2096**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2096, 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. 704-22 Finance on H.B. No. 2098**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Corporate Board of Directors; 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. 2098, 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. 705-22 Finance on H.B. No. 2099**

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, IAFF, 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. 2099, 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. 706-22 Finance on H.B. No. 2100**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Health Systems Corporation Corporate Board of Directors; 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. 2100, 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. 707-22 Finance on H.B. No. 2101**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2101, 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. 708-22 Finance on H.B. No. 1924**

The purpose of this measure is to appropriate funds for the State of Hawaii Museum of Monarchy History and the State of Hawaii Museum of Natural and Cultural History.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, The Friends of Iolani Palace, Oahu Economic Development Board, Historic Hawai'i Foundation, Native Hawaiian Hospitality Association, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 1924 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 709-22 Finance on H.B. No. 2449**

The purpose of this measure is to:



- (1) Appropriate funds for additional staff positions in the Hawaii State Archives to assist with its mission and increase public access to historical documents and artifacts;
- (2) Provide funds for the construction of an additional building to address the current and future facilities needs of the Hawaii State Archives;
- (3) Require all departments, offices, and agencies of the State to conduct an inventory of all documents in their possession related to the culture and history of Hawaii and Native Hawaiians and submit a report on the inventory; and
- (4) Require the Hawaii State Archives to develop a plan to acquire those documents and submit the plan to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii State Archives. Your Committee received comments on this measure from the Department of Budget and Finance and Historic Hawai'i 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. 2449, 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. 710-22 Finance on H.B. No. 2475**

The purpose of this measure is to establish July 31 of each year as La Hoihoi Ea.

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 Human Resources of the City and County of Honolulu 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. 2475, 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. 711-22 Finance on H.B. No. 2491**

The purpose of this measure is to require:

- (1) All letterheads of the State and counties that include Hawaiian names and words to include Hawaiian names, words, spelling, and punctuation consistent with certain references;
- (2) Official letterhead stationery and websites of designated state officials to include the Hawaiian translation of the office's or department's name; and
- (3) The University of Hawaii to compile a full list of all dialects and other variations of the Hawaiian language currently in use.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawai'i Civil Rights Commission, University of Hawai'i at Hilo, and three individuals. Your Committee received comments on this measure from the Office of Planning and Sustainable Development, Office of Economic Development of the County of Kauai, Center for Hawaiian Sovereignty Studies, 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. 2491, 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. 712-22 Finance on H.B. No. 1741**

The purpose of this measure is to:

- (1) Require the Department of Human Services to continue to lead a working group to address visitation and support needs of children and families of incarcerated individuals;
- (2) Require the Department of Human Services to work with the Department of Public Safety and other entities to establish a Pilot Visitation and Family Resource Center at Waiawa Correctional Facility on Oahu;
- (3) Require the working group to submit a report to the Legislature before the Regular Session of 2023; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, Community Alliance on Prisons, Hawaii Children's Action Network Speaks!, Blueprint for Change, Early Childhood Action Strategy, Women's Prison Project, and four individuals. Your Committee received comments on this measure from the Department of Public Safety, Department of Human Services, Department of Budget and Finance, and 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. 1741, 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. 713-22 Finance on H.B. No. 2118**

The purpose of this measure is to:

- (1) Codify the existing Hawaii State Cybersecurity Program, administered by the Office of Homeland Security in partnership with specified entities, to oversee cybersecurity and cyber resiliency matters;
- (2) Define the scope and objectives of the cybersecurity program to meet present and anticipated cybersecurity threats; and
- (3) Eliminate the Cybersecurity, Economic, Education, and Infrastructure Security Coordinator position.

Your Committee received testimony in support of this measure from the state Department of Defense and Hawaii Office of Homeland Security.

As affirmed by the record of votes of 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. 2118, 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. 714-22 Finance on H.B. No. 1695**

The purpose of this measure is to increase the generally applicable statutory fine under the Fireworks Control Law from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Kihei Community Association, Animal Rights Hawai'i, Pearl City Neighborhood Board, and eight 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. 1695, 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. 715-22 Finance on H.B. No. 2108**

The purpose of this measure is to:

- (1) Beginning January 1, 2023, establish a special purpose digital currency licensing program for licensure, regulation, and oversight of digital currency companies in the State;
- (2) Extend operations of companies in the Digital Currency Innovation Lab Pilot Program, under certain circumstances; and
- (3) Appropriate funds out of the Compliance Resolution Fund to implement the licensing program.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Blockchain Solutions Hawai'i, Electronic Transactions 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. 2108, 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. 716-22 Finance on H.B. No. 2273**

The purpose of this measure is to:

- (1) Specify that certain violations of the Fireworks Control Law be considered a violation of noise control rules, which may subject the violator to a citation under the State's noise pollution law; and
- (2) Appropriate funds to the Department of Health to assist in the enforcement of these violations.

Your Committee received testimony in support of this measure from Quieter & Healthier Maui, Kihei Community Association, A Quieter O'ahu, Hawaiian Humane Society, and nine individuals. 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. 2273, 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. 717-22 Finance on H.B. No. 2275**

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; and
- (2) Appropriate funds to update the Judiciary's information management system to implement the adjudication system for the processing of fireworks infractions.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Kihei Community Association, Hawaiian Humane Society, and nine individuals. Your Committee received comments on this measure from the Judiciary, Department of Budget and Finance, and Department of the Prosecuting Attorney 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. 2275, 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. 718-22 Finance on H.B. No. 1423**

The purpose of this measure is to:

- (1) Amend the amount of the fine that may be assessed against a noncandidate committee that makes only independent expenditures and 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 League of Women Voters of Hawaii and Common Cause Hawaii. 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 H.B. No. 1423, 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. 719-22 Finance on H.B. No. 1830**

The purpose of this measure is to:

- (1) Save the State the costs of its annual insurance premiums for property and casualty insurance coverage by establishing the State Self-Insurance Against Property and Casualty Risks Special Fund to provide the State with self-insurance coverage against property and casualty risks; and
- (2) Appropriate funds.

Your Committee received comments on this measure from the Department of Accounting and General Services and 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. 1830, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Wildberger). Noes, none. Excused, 2 (Marten, McDermott).

**SCRep. 720-22 Finance on H.B. No. 1888**

The purpose of this measure is to:

- (1) Increase the minimum amount of aggregated expenditures for electioneering communications in a calendar year from \$1,000 to \$2,000 before the filing of a statement of information would be required;
- (2) Require that disclosures of electioneering communications occur on the date the electioneering communications are publicly distributed;
- (3) Specify the disclosure date for subsequent public distribution of electioneering communications;
- (4) Exempt communications in news stories and editorials published by electronic means from being considered electioneering communications; and
- (5) Repeal the actual expenditures exception from the definition of "electioneering communications".

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii. Your Committee received comments on this measure from the Campaign Spending Commission 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 H.B. No. 1888, 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. 721-22 Finance on H.B. No. 1974**

The purpose of this measure is to establish the Small Business Assistance Initiative within the State Procurement Office, to consist of a Small Business Procurement Coordinator and Small Business Office, and to appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Transportation, Ka Leo O Nā 'Ōpio, and Native Hawaiian Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance 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. 1974, 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 (Marten, McDermott).

**SCRep. 722-22 Finance on H.B. No. 315**

The purpose of this measure is to increase the cap on the amount the University of Hawaii System can expend from the University of Hawaii Tuition and Fees Special Fund for the University of Hawaii Foundation from \$3,000,000 to \$6,000,000.

Your Committee received testimony in support of this measure from the University of Hawai'i System, University of Hawai'i Foundation, University of Hawai'i Alumni Association, and University of Hawai'i Foundation Board of Trustees. Your Committee received testimony in opposition to 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. 315, 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 (Branco).

**SCRep. 723-22 Finance on H.B. No. 1488**

The purpose of this measure is to simplify the residency determination for the State's high school students and recent graduates to enroll at the University of Hawai'i by considering high school seniors and recent high school graduates, including those who choose to return from out of state to pursue higher education in Hawaii, as residents under certain conditions.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, Kamehameha Schools, and five individuals. 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 H.B. No. 1488, 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 (Branco).

**SCRep. 724-22 Finance on H.B. No. 1731**

The purpose of this measure is to make higher education in Hawaii more accessible by:

- (1) Expanding the Hawaii Promise Program to provide scholarships for the unmet direct cost needs of qualified undergraduate students enrolled at a four-year campus of the University of Hawaii; and
- (2) Appropriate funds to establish and implement the expanded program.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, Americans for Democratic Action Hawaii, University of Hawai'i Alumni Association, and Kamehameha Schools. 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. 1731, 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 (Branco).

**SCRep. 725-22 Finance on H.B. No. 1885**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a Chief Data Officer within the Office of Enterprise Technology Services to develop, implement, and manage statewide data policies, procedures, and standards and facilitate data sharing across state agencies; and
- (2) Establish a Data Task Force within the Office of Enterprise Technology Services to assist in the development of the statewide data policies, procedures, and standards.

Your Committee received testimony in support of this measure from the Office of Information Practices, The Civil Beat Law Center for the Public Interest, Ulupono Initiative, Transform Hawai'i Government, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance 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. 1885, 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 (Branco).

**SCRep. 726-22 Finance on H.B. No. 2206**

The purpose of this measure is to appropriate funds for athletics at the University of Hawai'i at Mānoa and University of Hawai'i at Hilo.

Your Committee received testimony in support of this measure from the University of Hawai'i at Mānoa Athletics Department and University of Hawai'i at Hilo Athletics Department. 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. 2206, 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 (Branco).

**SCRep. 727-22 Finance on H.B. No. 2392**

The purpose of this measure is to make an emergency appropriation for coronavirus disease 2019 pandemic mitigation efforts.

Your Committee received testimony in support of this measure from the Hawai'i Primary Care Association and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, Hawaii Medical Service 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. 2392, 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. 728-22 Finance on H.B. No. 1403**

The purpose of this measure is to require and appropriate funds for the Department of Transportation, in collaboration with the County of Hawaii, to conduct site surveys on the island of Hawaii to identify the most suitable location for an alternate route in Puna below Highway 130.

Your Committee received testimony in support of this measure from two members of the Hawaii County Council, Keaukaha Pana'ewa Farmers Association, and fourteen individuals. Your Committee received comments on this measure from the Department of Transportation, Department of Budget and Finance, 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. 1403, 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. 729-22 Finance on H.B. No. 1414**

The purpose of this measure is to make a person who is the registered owner of a vehicle that was deemed abandoned or derelict subject to a tiered fine system for multiple violations.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Department of Environmental Management of the County of Hawai'i, Kauai Police Department, Department of Environmental Management of the County of Maui, Hawaii Council of Mayors, and ten individuals. Your Committee received testimony in opposition to 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. 1414, 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. 730-22 Finance on H.B. No. 1686**

The purpose of this measure is to require the Director of Transportation to establish and implement a Digital Identification Pilot Program for the issuance of digital identification, which includes a driver's license and government-issued identification card issued in a digital format.

Your Committee received testimony in support of this measure from the Department of Transportation, Office of Enterprise Technology Services, and Hawai'i Tourism 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. 1686, 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. 731-22 Finance on H.B. No. 1688**

The purpose of this measure is to:

- (1) Subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles; and
- (2) Authorize the counties to use certain motor vehicle registration fees to mitigate and address the impacts of tourism-related traffic congestion.

Your Committee received testimony in support of this measure from the Mayor of the County of Kaua'i, one member of the Maui County Council, Finance Department of the County of Kaua'i, Department of Customer Services of the City and County of Honolulu, Hertz, and Enterprise Holdings. Your Committee received comments on this measure from the Hawai'i State Association of Counties, 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. 1688, 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. 732-22 Finance on H.B. No. 1953**

The purpose of this measure is to provide the Department of Transportation with more flexibility and discretion to address significant hardship situations that impact airport concession contracts.

Your Committee received testimony in opposition to this measure from the Airlines Committee of Hawaii. Your Committee received comments on this measure from the Department of Transportation and Airport Concessionaires 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. 1953, 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. 733-22 Finance on H.B. No. 2336**

The purpose of this measure is to:

- (1) Clarify certain provisions in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the Photo Red Light Imaging Detector Systems Program; and
- (2) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for changes in fiscal needs based on the current timetable of the Photo Red Light Imaging Detector Systems Program.

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, and Honolulu Police Department.

As affirmed by the record of votes of 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. 2336, 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. 734-22 Finance on H.B. No. 1575**

The purpose of this measure is to:

- (1) Broaden the scope of practice for physician assistants; and
- (2) Streamline the medical records review process for physician assistants by requiring a sampling of medical records, rather than all medical records, to be reviewed when physician assistants prescribe controlled substances.

Your Committee received testimony in support of this measure from the Hawaii Medical Board, Hawai'i Academy of Physician Assistants, Kaiser Permanente Hawai'i, Hawai'i Public Health Association, Occupational Therapy Association of Hawaii, The Queen's Health Systems, and numerous individuals. Your Committee received comments on this measure from the Disability and Communication Access 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. 1575, 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. 735-22 Finance on H.B. No. 1666**

The purpose of this measure is to establish and appropriate funds for a pilot program to expand existing county programs that make licensed mental health counselors available to assist county first responders in responding to mental health crises in areas in the urban core with high rates of homelessness.

Your Committee received testimony in support of this measure from the Judiciary, Office of Housing of the City and County of Honolulu, Hawaii Substance Abuse Coalition, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, Department of Health, Office of the Public Defender, and Department of the Prosecuting Attorney 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. 1666, 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. 736-22 Finance on H.B. No. 1754**

The purpose of this measure is to appropriate funds to restore diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees; provided that the Department of Human Services obtains the maximum federal matching funds available and pursues all funding sources prior to expending any general revenue appropriations.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; John A. Burns School of Medicine of the University of Hawai'i at Mānoa; Hawaii Dental Hygienists' Association; Kaiser Permanente Hawai'i; Hawai'i Oral Health Coalition; Save Medicaid Hawaii; Hawaii Disability Rights Center; Hawai'i Health & Harm Reduction Center; AlohaCare; AARP Hawai'i; Hawaii Medical Service Association; Hawai'i Public Health Association; Hawai'i Primary Care Association; Hawai'i Children's Action Network Speaks!; Hawaii Dental Association; Kokua Kalihi Valley Comprehensive Family Services; 'Ohana Health Plan; Papa Ola Lōkahi; Waimānalo Health Center; Catholic Charities Hawai'i; The Queen's Health Systems; Hawaii Association of Health Plans; Parents And Children Together; We Are One, Inc.; West Hawaii Community Health Center; Oral Health Progress and Equity Network; and numerous individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Executive Office on Aging, and Waikiki 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 H.B. No. 1754, 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. 737-22 Finance on H.B. No. 1824**

The purpose of this measure is to establish and fund Long-Term Care Ombudsman Program Specialist positions within the Office of the Long-Term Care Ombudsman.

Your Committee received testimony in support of this measure from the State Long-Term Care Ombudsman, County of Hawai'i Office of Aging, Long Term Care Ombudsman Program, AARP Hawai'i, Kokua Council, Alzheimer's Association, Policy Advisory Board for Elder Affairs, Protect Leahi & Maluhia 'Ohana, and eleven individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 1824, 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. 738-22 Finance on H.B. No. 2424**

The purpose of this measure is to:

- (1) Expand the investigative power of the Department of Human Services to include inspections of families with:
  - (A) Children who have been adopted or placed in legal guardianship and whose families are receiving financial assistance through the State; and
  - (B) Children in the foster care system for whom there is a pending petition for adoption and the child is pendente lite or for whom an adoption decree has been issued but the child has not yet been placed in the custody of the adoption petitioner;
- (2) Require the Department of Human Services to collect and analyze data to determine the impact of expanding home visits to families receiving adoption assistance or legal guardianship assistance;
- (3) Appropriate funds for additional case workers and support staff; and
- (4) Appropriate funds to increase compensation for existing child welfare services case worker positions.

Your Committee received testimony in support of this measure from twelve individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Advocacy Team. Your Committee received comments on this measure from the Department of the Attorney General, Department of Human Services, Department of Budget and Finance, 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. 2424, 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. 739-22 Finance on H.B. No. 2515**

The purpose of this measure is to require the Department of Health to establish and operate a laboratory capable of testing for diseases, air and water quality issues, and other high complexity testing and appropriate funds for that purpose.

Your Committee received testimony in support of this measure from Department of Health, Honolulu Board of Water Supply, 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 H.B. No. 2515, 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. 740-22 Finance on H.B. No. 1179**

The purpose of this measure is to establish and appropriate funds for a pilot program within the Aina Mauna Legacy Program of the Department of Hawaiian Home Lands to remove and harvest gorse from Mauna Kea and develop the gorse as a marketable product to expand economic opportunities for native Hawaiians.

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 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. 1179, 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. 741-22 Finance on H.B. No. 1567**

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, nonviolent petty misdemeanor offenses, or nonviolent misdemeanor offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Hawai'i Correctional System Oversight Commission, Hawai'i Health & Harm Reduction Center, Community Alliance on Prisons, Trinity United Methodist Church, League of Women Voters of Hawaii, Hawai'i Alliance for Progressive Action, Imua Alliance, and thirteen individuals. Your Committee received testimony in opposition to this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Retail Merchants of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Public Safety, Hawaii Substance Abuse Coalition, Hawaii Disability Rights Center, Faith Action for Community Equity, Common Cause Hawaii, American Civil Liberties Union of Hawai'i, and twelve 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. 1567, 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. 742-22 Finance on H.B. No. 1580**

The purpose of this measure is to specify under the Hawaii Rules of Evidence that courts may order that the testimony of witnesses be taken through a live two-way video connection in certain circumstances.

Your Committee received testimony in opposition to this measure from the Judiciary and Office of the Public Defender. 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 H.B. No. 1580, 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. 743-22 Finance on H.B. No. 1761**

The purpose of this measure is to authorize the issuance of limited purpose identification cards for individuals who otherwise satisfy the requirements for a government-issued identification card except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under federal law.

Your Committee received testimony in support of this measure from the Office of Community Services, The Legal Clinic, Hawai'i Coalition for Immigrant Rights, Parents And Children Together, and four individuals. Your Committee received comments on this measure from the Department of Transportation, Community Alliance on Prisons, 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. 1761, 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. 744-22 Finance on H.B. No. 1777**

The purpose of this measure is to require, and appropriate funds for, the Department of the Attorney General to provide annual reports to the Legislature on available data pertaining to the commercial sexual exploitation of children.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Imua Alliance, and two individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Hawaii Youth Services Network.

As affirmed by the record of votes of 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. 1777, 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. 745-22 Finance on H.B. No. 1499**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to partner with a Hawaii entity to establish a Pilot United States Department of Agriculture Harmonized Good Agricultural Practices Food Safety Training and Certification Program to assist small- and medium-sized farms in obtaining the United States Department of Agriculture Harmonized Good Agricultural Practices certification; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Ulupono Initiative; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; North Shore Economic Vitality Partnership; Hawaii Food Industry Association; Hawaii Foodservice Alliance LLC; Piko Provisions; and three individuals. Your Committee received comments on this measure from the Department of Agriculture and 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. 1499, 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. 746-22 Finance on H.B. No. 1517**

The purpose of this measure is to support Hawaii's coffee growers by:

- (1) Requiring disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (2) Making it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than a certain percentage of coffee by weight from that geographic origin, phased in to a minimum of fifty-one percent;
- (3) Prohibiting use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown in Hawaii; and
- (4) Appropriating funds to the Department of Agriculture for the Pesticide Subsidy Program and for one full-time equivalent position to conduct inspections.

Your Committee received testimony in support of this measure from four members of the Hawai'i County Council; Rancho Aloha; Hawaii Farmers Union United; Hawaii Coffee Association; Kona Coffee Farmers Association; Life of the Land; Hawaii Coffee Growers Association; The 4 Sens, LLC; Green Party Hawai'i; Absolute Palate LLC; Lions Gate Farms; Huahua Farm; Honalo Farm; and eighteen individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, Hawaii Food Industry Association, Hawaii Coffee Company, Hawai'i Restaurant Association, and one individual. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Rusty's Hawaiian, Cassandra Farms, 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. 1517, 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. 747-22 Finance on H.B. No. 1705**

The purpose of this measure is to allow the Department of Agriculture to extend the lease of any agricultural park lessee who holds a lease with a remaining term of fifteen years or less; provided that the land covered by the lease is twenty-five acres or less and located in a county with a population of less than five hundred thousand.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau; Hawaii Floriculture and Nursery Association; Bromeliads Hawaii, LLC; Hawaii Clean Seed LLC; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture. Your Committee received comments on this measure from the Land Use Research 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. 1705, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 14; Ayes with Reservations (Branco, Eli, Marten, Perruso, Tam, Wildberger). Noes, none. Excused, 1 (McDermott).

**SCRep. 748-22 Finance on H.B. No. 1714**

The purpose of this measure is to appropriate funds to the Department of Agriculture to continue its efforts to mitigate and control the two-lined spittlebug and recover the rangelands and pastures damaged by this invasive pest and for research to inform best practices and monitor the status of the two-lined spittlebug.

Your Committee received testimony in support of this measure from Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Local Food Coalition; Land Use Research Foundation of Hawaii; Parker Ranch, Inc.; Larry Jeffs Farms, LLC; Ponoholo Ranch Limited; Barbed S Ranch LLC; Haleakala Ranch; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance, 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. 1714, 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. 749-22 Finance on H.B. No. 2062**

The purpose of this measure is to establish the Agricultural Emergency Loan Revolving Fund, to be administered by the Department of Agriculture, to fund class D emergency loans and appropriate funds for that purpose.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, Hawai'i Cattlemen's Council, and Ulupono Initiative. 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. 2062, 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. 750-22 Finance on H.B. No. 2304**

The purpose of this measure is to:

- (1) Appropriate funds to the Department of Education for additional resources to help implement the Hawaii Farm to School Program, specifically to implement internal systems and controls to meet the State's local food goals in school meals; and
- (2) Require the Department of Education to submit a report to the Legislature no later than January 1, 2023, that details a plan and timeline for implementing the Hawaii Farm to School Program.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Ulupono Initiative; Local Food Coalition; Food+ Policy Internship 2022; Hawai'i Farm Bureau; Hawai'i Farm to School Hui; Hawaii Food Industry Association; Malama Kaua'i; Hawai'i 'Ulu Producers Cooperative; Kipahulu Ohana, Inc.; Growing Together Edible Landscaping; Hawai'i Primary Care Association; Hawaii Cattlemen's Council, Inc.; Green Party of Hawai'i; Mala'ai, and eleven individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, Department of Education, and Hawaii Appleseed Center for Law & Economic Justice.

As affirmed by the record of votes of 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. 2304, 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. 751-22 Finance on H.B. No. 2307**

The purpose of this measure is to ensure the continued viability of the State's sea salt manufacturing industry by appropriating funds to provide education and support to businesses in the State regarding the United States Food and Drug Administration's industry guidance on colored sea salt.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Agriculture and 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. 2307, 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. 752-22 Finance on H.B. No. 1749**

The purpose of this measure is to:

- (1) Establish the Supportive Housing Task Force to improve data collection on supportive housing needs in the State; and
- (2) Appropriate funds for the task force, including one full-time equivalent planner or specialist position.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawai'i Health & Harm Reduction Center, Catholic Charities Hawai'i, Partners in Care, Hawaii Community Foundation, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Budget and Finance, Office of Information Practices, Common Cause 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. 1749, 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. 753-22 Finance on H.B. No. 1753**

The purpose of this measure is to allow the Hawaii Housing Finance and Development Corporation greater flexibility to use the funds in the Rental Housing Revolving Fund for necessary expenses in administering the Corporation's housing finance programs.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation. Your Committee received comments on this measure from the Department of 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. 1753, 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. 754-22 Finance on H.B. No. 1837**

The purpose of this measure is to:

- (1) Require each county to submit biennial reports to the Legislature on its efforts to reduce zoning and regulatory barriers to housing development; and
- (2) Require the Hawaii Housing Finance and Development Corporation and Hawaii Public Housing Authority to submit biennial reports, based on their individual review of the counties' reports, to the Legislature on streamlining affordable housing development.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation, Department of Planning and Permitting of the City and County of Honolulu, 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. 1837, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (Perruso). Excused, 1 (McDermott).

**SCRep. 755-22 Finance on H.B. No. 1859**

The purpose of this measure is to appropriate funds for the State Rent Supplement Program.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Catholic Charities Hawai'i, Hawai'i Health & Harm Reduction Center, and Partners in Care. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and 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. 1859, 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. 756-22 Finance on H.B. No. 2020**

The purpose of this measure is to appropriate general funds that are to be deposited into the Affordable Homeownership Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Hawaii Habitat for Humanity Association; Habitat for Humanity Maui, Inc.; Habitat for Humanity Hawaii Island, Inc.; St. Michael the Archangel Church; Hawai'i Appleseed Center for Law & Economic Justice; Hawai'i Island Housing Coalition; and one individual. Your Committee received comments on this measure from the Department of the Attorney General and 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. 2020, 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. 757-22 Finance on H.B. No. 2102**

The purpose of this measure is to discontinue reimbursement by the State and counties of Medicare income related monthly adjustment amounts for retired employees hired after June 30, 2022, and their spouses.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees. 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. 2102, 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, 1 (Perruso). Excused, none.

**SCRep. 758-22 Finance on H.B. No. 2103**

The purpose of this measure is to eliminate Medicare part B premium reimbursement by the State and counties for the spouses of retired employees hired after June 30, 2022.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees. 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. 2103, 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, 1 (Perruso). Excused, none.

**SCRep. 759-22 Finance on H.B. No. 2105**

The purpose of this measure is to clarify the Employees' Retirement System's eligibility requirement definitions for service-connected disability and accidental death benefits.

Your Committee received testimony in support of this measure from the State of Hawaii 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. 2105, 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. 760-22 Finance on H.B. No. 2240**

The purpose of this measure is to authorize the issuance of general obligation bonds for the payment or prepayment of the State's other post-employment benefits liability.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

As affirmed by the record of votes of 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. 2240, 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. 761-22 Finance on H.B. No. 2448**

The purpose of this measure is to:

- (1) Require the Department of Business, Economic Development, and Tourism to establish and maintain a statewide data hub to collect employer and employee data;
- (2) Authorize the Department of Business, Economic Development, and Tourism to determine the type of employer and employee data to collect, the functions of the statewide data hub, and access and document retention policies for the data; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance 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. 2448, 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. 762-22 Finance on H.B. No. 2469**

The purpose of this measure is to:

- (1) Establish an Unemployment Compensation Insolvency Special Fund to be expended solely to resolve an Unemployment Compensation Trust Fund insolvency emergency declared by the Governor;
- (2) Allow the Governor to declare an Unemployment Compensation Trust Fund insolvency emergency and to expend monies from the special fund if the Director of Finance determines that the trust fund balance is insufficient to meet the State's obligations; and
- (3) Appropriate monies into the Unemployment Compensation Insolvency Special Fund.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Labor and Industrial Relations, 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. 2469, 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, Marten, Perruso, Tam). Noes, none. Excused, none.

**SCRep. 763-22 Finance on H.B. No. 2471**

The purpose of this measure is to amend the definition of "adequate reserve fund" to exclude the benefit cost rate from June 2020 through August 2021, effective for calendar years 2023 through 2030.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Retail Merchants of Hawaii. 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 H.B. No. 2471, 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. 764-22 Finance on H.B. No. 1671**

The purpose of this measure is to create a temporary subcommittee of the State Land Use Commission to review land study bureau classifications and ratings of lands located in agricultural districts.

Your Committee received testimony in support of this measure from the State Land Use Commission. Your Committee received comments on this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Office of Information Practices, League of Women Voters of Hawaii, and Hawai'i 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. 1671, 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, Marten, Perruso). Noes, none. Excused, 1 (Branco).

**SCRep. 765-22 Finance on H.B. No. 1788**

The purpose of this measure is to:

- (1) Establish the Waiakea Peninsula Redevelopment District and Waiakea Redevelopment and Planning Committee for the redevelopment of public lands on Waiakea Peninsula;
- (2) Establish the Waiakea Peninsula Redevelopment District Revolving Fund; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council and Hawaii Primary Care Association. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and League of Women Voters of Hawaii. Your Committee 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. 1788, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (Wildberger). Excused, 1 (Branco).

#### **SCRep. 766-22 Finance on H.B. No. 1872**

The purpose of this measure is to require:

- (1) The Department of Land and Natural Resources to recognize that:
  - (A) Game birds and mammals can provide a sustainable food source that merits appropriate resource management to support viable populations sufficient for hunting;
  - (B) Proper management of game populations in appropriate areas minimizes their impacts and provides important benefits; and
  - (C) The State's unique relationship with the ocean requires careful consideration and management of land and ocean activities that prioritize the public trust responsibilities of the State; and
- (2) Each department, office, or agency of the State to update its rules and policies to integrate local hunting and fishing industries into any food security or sustainability strategies that the department, office, or agency employs.

Your Committee received testimony in support of this measure from the Hawaii County Game Management Advisory Commission; Hawaii Firearms Coalition; Hawaii Cattlemen's Council, Inc.; and six 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, Good Shepherd Foundation, Hawai'i Farm Bureau, 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. 1872, 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 (Branco).

#### **SCRep. 767-22 Finance on H.B. No. 2016**

The purpose of this measure is to require the Department of Land and Natural Resources to prepare a master plan for the Sand Island State Recreation Area and appropriate funds for preparation of the plan.

Your Committee received testimony in support of this measure from The Pillars LLC, Mountainview Community Church, Kingsman Boxing Gym, Thunderboxing Gym Kalihi, Hood 2 Hood, Slapp Radio, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, and Sand Island Business 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. 2016, 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 (Branco).

#### **SCRep. 768-22 Consumer Protection & Commerce on H.B. No. 1903**

The purpose of this measure is to require first responders to record in the incident report for each water rescue event the type of snorkel and mask, if any, worn by the person who was rescued or recovered.

Your Committee received testimony in support of this measure from Mālama Pūpūkea-Waimea and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that drowning is the leading cause of injury-related death among visitors to Hawaii, with snorkeling being the most common activity associated with visitor drownings. Your Committee further finds that while many drowning events are snorkel-related, the cause remains unclear as data is not systematically collected on the circumstances of the events or type of snorkels used by the victims. Gathering standardized, empirical data will help authorities determine whether the type of snorkel increases the risk of drowning and lead to better public health messaging and improvements in snorkel design. This measure therefore ensures that this important data will be collected.

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. 1903, 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. 769-22 Consumer Protection & Commerce on H.B. No. 2114**

The purpose of this measure is to amend the Mortgage Rescue Fraud Prevention Act by:

- (1) Deleting certain exemptions to the definition of "distressed property consultant" in the State's Mortgage Rescue Fraud Prevention Act that are not in the federal Mortgage Assistance Relief Services Rule; and

(2) Correcting a typographical error in the definition of "mortgage assistance relief service."

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 Bankers Association. Your Committee received comments on this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that, in 2008, the State enacted the Mortgage Rescue Fraud Prevention Act (MRFPFA) to protect consumers from mortgage rescue scams. There was no federal counterpart to the MRFPFA until the enactment of the Federal Trade Commission's Mortgage Assistance Relief Services Rule (MARS Rule) in December 2010. Both the MRFPFA and MARS Rule are designed to protect consumers from abusive mortgage relief practices, but take distinctly different approaches to identify the persons from whom consumers should be protected. This measure takes the unique protection provisions of the MARS Rule and combines and reconciles those with the protection provisions already present and unique to the MRFPFA.

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. 2114, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2114, 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, none.

#### **SCRep. 770-22 Consumer Protection & Commerce on H.B. No. 2115**

The purpose of this measure is to authorize the Commissioner of Financial Institutions to modify, by rule or order, the requirements associated with the licensure and regulation of mortgage servicers.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the State utilizes the NMLS, a multi-state mortgage licensing platform, to manage the licensing of mortgage servicers. Your Committee further finds that conflicts with existing law may arise when the NMLS modifies or modernizes its processes, which then require the Commissioner of Financial Institutions to repeatedly request changes to the law from the Legislature. This measure empowers the Commissioner to modify the requirements for mortgage services by rule or order, bypassing any need for continual modification from the Legislature, which will streamline the licensing process for mortgage services and reduce delays for customers.

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. 2115, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2115, 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, none.

#### **SCRep. 771-22 Consumer Protection & Commerce on H.B. No. 1598**

The purpose of this measure is to:

- (1) Authorize the Hawaii Board of Veterinary Medicine to grant temporary courtesy permits and relief permits for out-of-state veterinarians;
- (2) Specify the conditions under which licensed veterinarians may practice veterinary telemedicine;
- (3) Clarify when persons licensed to practice veterinary medicine in other jurisdictions may practice in the State; and
- (4) Authorize international veterinary school graduates to qualify for the licensure examination.

Your Committee received testimony in support of this measure from the Hawaii Veterinary Medical Association, Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Veterinary Emergency + Referral Center, The Humane Society of the United States, and numerous individuals. Your Committee received comments on this measure from the Hawaii Board of Veterinary Medicine.

Your Committee finds that there is a shortage of veterinarian specialists and practitioners in the State, which has made it exceedingly difficult for animal welfare organizations and veterinary practices to fill vacant positions. This has prevented veterinary emergency hospitals from operating on an around-the-clock basis and prevented other practices from providing the level of service needed in the community. As a result, owners and their pets may experience delays in care as long as several months.

Your Committee further finds that, in 2020, the practice where an out-of-state veterinarian could work under the sponsorship of an in-state veterinarian was invalidated by the Board of Veterinary Medicine. While this practice was commonly employed for many years by nonprofit organizations to meet their acute needs, this practice was determined to have rested on an incorrect interpretation of the law. This measure is the result of a collaborative effort to authorize various avenues for out-of-state veterinarians to fill the gaps in the State's veterinary needs.

Your Committee has amended this measure by:

- (1) Amending the language within the telemedicine provisions and the definition of "veterinarian-client-patient relationship" for consistency with federal law;
- (2) Clarifying that the telemedicine provisions are not intended to override federal or state requirements and standards for issuing certificates of veterinary inspection or health certificates, rather than specifying that these certificates must be done by physical examinations and not through telemedicine;
- (3) Specifying that emergency responses include human-caused disasters;
- (4) Clarifying that for licensure purposes, a veterinarian college must meet the standards established by the American Veterinary Medical Association Council on Education;
- (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 H.B. No. 1598, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1598, 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, none.

#### **SCRep. 772-22 Consumer Protection & Commerce on H.B. No. 1596**

The purpose of this measure is to make permanent the insurance requirements for transportation network companies and transportation network company drivers.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, Uber Technologies, GEICO, and Lyft.

Your Committee finds that, before 2016, there was a discrepancy in insurance protections for passengers and third parties across the various commercial passenger services. While other commercial passenger services, such as common carriers by motor vehicle or taxicabs, had commercial insurance that protected their passengers and third parties during the course of a commercial activity, transportation network company drivers may not have had the proper coverage to protect passengers and third parties during the operation of a transportation company driver's personal motor vehicle as a ride-share.

To resolve this discrepancy and ensure that Hawaii consumers were properly protected as passengers and third parties, Hawaii established insurance requirements for transportation network companies and transportation network company drivers through the enactment of Act 236, Session Laws of Hawaii 2016 (Act 236). However, Act 236 contained a sunset date of September 1, 2021. The original sunset date of Act 236 was extended to September 1, 2023, by Act 132, Session Laws of Hawaii 2021. Your Committee finds that Act 236 is accomplishing its intended goal and therefore, the insurance requirements should be made 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1596, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1596, 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 (Aquino).

#### **SCRep. 773-22 Consumer Protection & Commerce on H.B. No. 2111**

The purpose of this measure is to update and improve existing provisions in the Insurance Code and promote consumer protection by:

- (1) Amending the Insurance Commissioner's authority to issue limited licenses to persons selling travel insurance to be inclusive of other general travel insurance products;
- (2) Removing references to outdated and obsolete limited lines product offerings;
- (3) Amending the regulation of third party administrators by:
  - (A) Excluding dental insurers and dental service corporations;
  - (B) Increasing the required surety bond beginning in the third party administrator's third year of licensure; and
  - (C) Requiring third party administrators to include renewal certificates for surety bonds and audited financial statements in their annual reports; and
- (4) Adopting the revised National Association of Insurance Commissioners Suitability in Annuity Transactions Model Regulation to:
  - (A) Require producers to act in the best interest of the consumer when making a recommendation of an annuity; and
  - (B) Require insurers to establish and maintain a system to supervise recommendations.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, National Association of Insurance and Financial Advisors Hawaii, American Council of Life Insurers, and American Insurance Group, Inc. Your Committee received comments on this measure from the Hawaii-Western Management Group.

Your Committee finds that existing law fails to allow limited lines producers to offer various forms of general travel insurance products, such as trip interruption or cancellation, damages to accommodations or rental vehicles, emergency evacuations, or repatriation of remains. This absence creates consumer confusion and gaps in product offerings. This measure allows limited lines producers to offer products covering the breadth of travel insurance.

Your Committee further finds that, in 2020, the National Association of Insurance Commissioners adopted a revised version of the Suitability in Annuity Transactions Model Regulation, which more clearly defines a producer's responsibility to act in the best interest of the consumer when making a recommendation of an annuity and requires insurers to establish and maintain a system to supervise recommendations. This measure ensures that producers are acting in the best interest of the consumer and strengthens protections under the Insurance Code with regard to annuity transactions.

Your Committee has amended this measure by:

- (1) Clarifying that a third party administrator must file and maintain a surety bond of at least \$100,000 for the first two years of licensure and at least \$300,000 from the third year of licensure;
- (2) Clarifying when a renewal certificate for a surety bond or updated surety bond must be filed along with the annual report;
- (3) Authorizing the Insurance Commissioner to delay the enforcement of the provisions concerning limited licenses and third party administrator annual reports until no later than March 31, 2023;
- (4) Changing the 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2111, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2111, 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, none.

**SCRep. 774-22 Consumer Protection & Commerce on H.B. No. 2112**

The purpose of this measure is to adopt the revised National Association of Insurance Commissioners Credit for Reinsurance Model Law, which conforms existing reinsurance law to the bilateral agreements on insurance and reinsurance between the United States and European Union and between the United States and United Kingdom.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii Insurers Council, and American Council of Life Insurers.

Your Committee finds that, in 2017, the United States Treasury Department and United States Trade Representative, pursuant to their authority under the Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203, concluded negotiations on an agreement with the European Union (EU) that eliminates EU reinsurer collateral requirements, provided certain regulatory criteria are met. In addition, the EU agreed to recognize the United States' approach to group supervision, including group capital. In December 2018, a separate agreement was signed between the United States and United Kingdom that mirrors the language from the agreement with the EU. Under both agreements, states must enact laws conforming to the agreements by September 1, 2022, or face possible federal preemption.

Your Committee further finds that the National Association of Insurance Commissioners (NAIC) adopted revisions to the models that are intended to implement the reinsurance collateral provisions of the agreements. The revisions eliminate reinsurance collateral requirements for reinsurers that have their head office or are domiciled in any of the following reciprocal jurisdictions: an EU-member country that is subject to an in-force agreement; a United States jurisdiction that meets the requirements for accreditation under NAIC financial standards and accreditation program; and a non-United States jurisdiction recognized as a qualified jurisdiction that meets additional requirements consistent with the terms of the agreements.

This measure will conform the provisions of the State's Insurance Code regarding credit for reinsurance to the bilateral agreements and avoid federal preemption.

Your Committee has amended this measure by:

- (1) Clarifying the conditions under which credit for reinsurance may be allowed;
- (2) Changing the effective date to January 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2112, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2112, 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, none.

**SCRep. 775-22 Consumer Protection & Commerce on H.B. No. 1597**

The purpose of this measure is to extend:

- (1) The sunset date of Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility; and
- (2) The reporting requirements of Act 60, Session Laws of Hawaii 2018, which requires the Board of Electricians and Plumbers to submit annual reports to the Legislature related to high voltage electrical work.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Inc.; International Brotherhood of Electrical Workers Local Union 1260; and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from the Board of Electricians and Plumbers, Contractors License Board, and International Brotherhood of Electrical Workers Local Union 1186.

Your Committee finds that there continues to be debate about whether there is a shortage of electricians, splicers, and linemen in the State who are experienced and qualified to work with high voltage (six hundred volts or higher) and who can perform certain complex maintenance and repair work affecting an electric utility, particularly an electric utility's transmission lines.

Your Committee also finds that high voltage electric utility workers are in high demand throughout the country and in-state electric utilities have had difficulties retaining these workers, many of whom leave for jobs in the continental United States. There are therefore times when it may be necessary for an electric utility to contract and retain qualified personnel from other jurisdictions in the United States to perform high voltage work. To address this ongoing situation, this measure extends the limited exemption to the licensing requirements for certain individuals qualified to perform high voltage utility work.

It is the Committee's intention to expressly limit the scope and applicability of the exemption established by Act 65, Session Laws of Hawaii 2013.

Your Committee has amended this measure by:

- (1) Specifying that the exemption only applies to workers performing electric transmission and distribution line construction and maintenance and substation work for a public utility;
- (2) Extending the sunset date of the limited extension under Act 65, Session Laws of Hawaii 2013, and the associated reporting requirements under Act 60, Session Laws of Hawaii 2018, until 2028, rather than 2033;
- (3) Changing the 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1597, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1597, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

**SCRep. 776-22 Judiciary & Hawaiian Affairs on H.B. No. 2293**

The purpose of this measure is to establish the Prevent Suicide Hawaii Task Force under the Department of Health.

Your Committee received testimony in support of this measure from the Department of Health, Department of Education, John A. Burns School of Medicine, Joint Military Suicide Prevention Task Force, Prevent Suicide Hawai'i Taskforce, Hawaii Substance Abuse Coalition, Hawai'i Psychiatric Medical Association, Mental Health America of Hawai'i, Hawai'i Primary Care Association, Hawai'i Health & Harm Reduction Center, Hui Malama Hawaii, Hawai'i Public Health Association, and five individuals.

Your Committee finds that suicide is the fourth leading cause of death for children between the ages of ten and fourteen and is the leading cause of death for young people between the ages of fifteen and twenty-four. In Hawaii, suicide accounts for twenty-five percent of all fatal injuries. Your Committee further finds that a prevent suicide task force is urgently needed to help address the alarming trend of rising suicide rates and to arrive at effective prevention and intervention strategies that enable greater access to suicide prevention services and foster greater awareness of this serious public health problem.

Your Committee has amended this measure by:

- (1) Requiring the task force to consist of:
  - (A) One member who is a frontline Hawaii Psychiatric Medical Association psychiatrist serving rural and underserved communities, to be appointed by the Hawaii Psychiatric Medical Association; and
  - (B) One member from the Hawaii Primary Care Association, to be appointed by the Hawaii Primary Care Association; and
- (2) Making technical, 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. 2293, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2293, 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, none.

**SCRep. 777-22 Judiciary & Hawaiian Affairs on H.B. No. 2422**

The purpose of this measure is to clarify that a family court must impose a sentence for domestic violence intervention, with or without probation, for violations of restraining orders, orders for protection, and abuse of family or household members.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Hawai'i State Coalition Against Domestic Violence, and one individual. Your Committee received testimony in opposition to this measure from Office of the Public Defender.

Your Committee finds that the Hawaii Supreme Court misinterpreted state law when it held that domestic violence intervention may only be ordered as a condition of probation for persons who violate temporary restraining orders. Domestic violence intervention, which includes anger management and domestic violence treatment, is important for addressing the root causes of domestic violence. This measure clarifies legislative intent by clearly mandating domestic violence intervention, regardless of whether persons are sentenced with or without probation.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 2422, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2422, 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 (D. Kobayashi, LoPresti).

**SCRep. 778-22 Judiciary & Hawaiian Affairs on H.B. No. 1866**

The purpose of this measure is to:

- (1) Amend the procedure under which a blood, urine, or breath test is administered in the event of certain vehicular collisions; and
- (2) Prohibit state courts from vacating any conviction for a crime that was committed before December 5, 2016, solely on the basis that the evidence of the person's blood alcohol content was obtained without a warrant, unless otherwise required by constitutional law.

Your Committee received testimony in support of this measure from Mothers Against Drunk Driving Hawaii and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the state law establishing the procedure for administering blood, urine, or breath tests in the event of certain vehicular collisions should be updated to reflect developments in federal and state common law over the years regarding warrantless tests. Your Committee further finds that courts should avoid reversing convictions based on a warrantless blood draw taken after a vehicular collision that occurred before December 5, 2016, since both statutory and common law allowed law enforcement officers investigating vehicular collisions to obtain evidence of a person's blood alcohol content without a warrant if there was probable cause that the person operated a vehicle under the influence of an intoxicant and exigent circumstances justified a warrantless blood draw.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 1866, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1866, 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 (D. Kobayashi, LoPresti).

**SCRep. 779-22 Judiciary & Hawaiian Affairs on H.B. No. 1456**

The purpose of this measure is to amend the offense of theft in the second degree to include theft of an electric gun.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Firearms Coalition, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the Penal Code does not adequately address the theft of electric guns, which became legal for members of the public on January 1, 2022. Your Committee believes that criminals may start to seek out electric guns for the facilitation of crimes since these devices can cause pain and incapacitation but are less likely to cause death or serious bodily injury.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, 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. 1456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1456, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (LoPresti).

**SCRep. 780-22 Judiciary & Hawaiian Affairs on H.B. No. 1469**

The purpose of this measure is to establish an affirmative defense to prosecution of unauthorized control of a propelled vehicle in the first and second degree, where the defendant purchased the vehicle in good faith and believed oneself to be the actual owner of the vehicle.

Your Committee received testimony in support of this measure from the 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 prosecutors are often blindsided during trials related to the unauthorized control of a propelled vehicle when defendants make an inference during the questioning of a witness, or personally testify, that they purchased the vehicle. If a defendant has in fact purchased a vehicle, that information should be relayed to prosecution for proper investigation. This will also ensure that a defendant is not wrongfully prosecuted and resources are not wasted.

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. 1469, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1469, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (LoPresti).

**SCRep. 781-22 Judiciary & Hawaiian Affairs on H.B. No. 1878**

The purpose of this measure is to amend the period in which the Hawaii Supreme Court is in session to annual terms commencing on the first Monday in January of each year beginning in 2024.

Your Committee received comments on this measure from the Judiciary.

Your Committee finds that there are concerns regarding the current term of the Hawaii Supreme Court. Apparently, if a justice of the Hawaii Supreme Court retires before a decision has been issued on a case, then the Intermediate Court of Appeals ruling stands. Your Committee believes that the requirement that the Hawaii Supreme Court sit in continuous session, rather than annual session merits further study.

Accordingly, your Committee has amended this measure by deleting language that would have amended the period in which the Hawaii Supreme Court is in session and instead requiring the Legislative Reference Bureau to:

- (1) Conduct a study to consider if the Hawaii Supreme Court should be a single term like the United States Supreme Court; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the regular session of 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 is in accord with the intent and purpose of H.B. No. 1878, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1878, 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 (LoPresti).

**SCRep. 782-22 Judiciary & Hawaiian Affairs on H.B. No. 2337**

The purpose of this measure is to clarify the definitions of "drug", "substance", and "substance abuse" for purposes of operating a vehicle under the influence of an intoxicant violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and Mothers Against Drunk Driving Hawaii.

Your Committee finds that under existing law, the prosecution must prove beyond a reasonable doubt that a person was under the influence of a controlled substance under the Uniform Controlled Substances Act, or its metabolites, in order to convict a person of operating a vehicle under the influence of an intoxicant. However, there are several drugs that can cause serious impairment that are not scheduled or controlled substances, including kava, certain muscle relaxants, and synthetic drugs such as "spice" and "bath salts". This measure clarifies the definitions used for violations of operating a vehicle under the influence of an intoxicant to include substances that, when taken into the human body, can impair the ability of a person to operate a vehicle safely.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, 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. 2337, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2337, 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 (D. Kobayashi, LoPresti).

#### **SCRep. 783-22 Judiciary & Hawaiian Affairs on H.B. No. 2075**

The purpose of this measure is to:

- (1) Increase the time frame that a permit to acquire a firearm can be used from ten days to thirty days; and
- (2) Eliminate physical inspection of firearms generally, except for firearms brought into the State, firearms involved in private sales or transfers, and firearms and firearm receivers with engraved or embedded registration numbers.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Hawai'i Police Department, Honolulu Police Department, and one individual. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party, DC Project, Pu'uloa Rifle and Pistol Club, Hawaii Firearms Coalition, Hawaii Rifle Association, and numerous individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that amendments to firearm permitting and registration requirements are advisable given the recent ruling by the United States District Court for the District of Hawaii, which found that Hawaii's ten-day expiration period for a permit to acquire a pistol or revolver and requirement that all firearms be physically inspected at the time of registration are unconstitutional. This measure addresses this ruling by providing people with adequate time to complete their firearm acquisitions and only requiring the physical inspection of firearms for narrow categories.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, 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. 2075, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2075, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, 2 (Tokioka, Ward). Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 784-22 Judiciary & Hawaiian Affairs on H.B. No. 1459**

The purpose of this measure is to require victim restitution in certain juvenile cases.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, and County of Kauai Victim/Witness Program. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that under existing state law, courts are required to order victim restitution in adult offender cases but not in juvenile offender cases. Furthermore, some judges interpret state law as only allowing victim restitution as an alternative to community service. This system greatly decreases the chances that juvenile offenders will be held accountable to their victims, which can demoralize or revictimize these victims by discounting the very benefits that restitution is intended to provide.

Your Committee further finds that a recent Intermediate Court of Appeals case ruled that the plain language definition of "victim" for purposes of victim restitution in certain juvenile cases does not include the Crime Victim Compensation Commission, even though the Commission is included in the definition "victim" for purposes of victim restitution in adult cases.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the definition of "victim" for purposes of victim restitution in certain juvenile cases is the same as the definition for adult cases. Specifically, this measure defines "victim" for purposes of victim restitution in certain juvenile cases as including:
  - (A) The direct victim of a crime including a business entity, trust, or governmental entity;
  - (B) If the victim dies as a result of the crime, a surviving relative of the victim;
  - (C) A governmental entity that has reimbursed the victim for losses arising as a result of the crime or paid for medical care provided to the victim as a result of the crime; or
  - (D) Any duly incorporated humane society or duly incorporated society for the prevention of cruelty to animals, contracted with the county or State to enforce animal-related statutes or ordinances, that impounds, holds, or receives custody of a pet animal; and
- (2) Changing the effective date to January 1, 2222, 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. 1459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1459, 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 (Tokioka). Noes, 1 (D. Kobayashi). Excused, 1 (LoPresti).

**SCRep. 785-22 Judiciary & Hawaiian Affairs on H.B. No. 1472**

The purpose of this measure is to amend the information necessary for a voter to withdraw their signature from a petition under election laws, including petitions to qualify as a political party or appear as a presidential candidate.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that this measure will standardize the requirements for a signatory to remove their name from a petition to match the withdrawal requirements for nomination papers.

Your Committee has amended this measure by changing the effective date to January 1, 2022, 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. 1472, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1472, 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 (LoPresti).

**SCRep. 786-22 Judiciary & Hawaiian Affairs on H.B. No. 2197**

The purpose of this measure is to amend:

- (1) The offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively, without the possibility of probation or suspension of sentence; and
- (2) The requisite state of mind for these offenses from knowingly to criminal negligence.

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 Office of the Public Defender.

Your Committee finds that illegal gambling houses have a profoundly negative impact on communities across the State, particularly residential neighborhoods. Illegal gambling houses have been shown to attract and foster violence, illicit drugs, sex trafficking, and other dangerous activities. By strengthening the criminal penalties for promoting gambling in the first and second degree, your Committee believes that persons who work at illegal gambling houses will be deterred from participating in the illegal enterprise.

Your Committee has amended this measure by:

- (1) Deleting language that would have:
  - (A) Changed the requisite state of mind for the offenses of promoting gambling in the first and second degree to criminal negligence; and
  - (B) Prohibited the possibility of probation or suspension of sentence for the offenses of promoting gambling in the first and second degree;
- (2) Excluding the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea; 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. 2197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2197, 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 (D. Kobayashi, LoPresti).

**SCRep. 787-22 Judiciary & Hawaiian Affairs on H.B. No. 1732**

The purpose of this measure is to prohibit individuals from carrying an electric gun in or near certain sensitive locations, with exceptions.

Your Committee received testimony in opposition to this measure from the Hawaii Firearms Coalition, Valley Isle Sports Shooters Club, Rosas Arms LLC, DC Project Hawaii, Pu'uloa Rifle and Pistol Club, Hawaii County Game Management Advisory Commission, Libertarian Party of Hawaii, and numerous individuals.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Clarifying that the prohibition applies regardless of whether the electric gun is operational or not;
- (2) Amending the location and premises restrictions for electric guns;
- (3) Amending the exemptions to the prohibition and establishing an affirmative defense for certain exempt persons; and
- (4) Clarifying that the presence of a person at any restricted location or premises is prima facie evidence that the person knows it is such a location or premises.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of Transportation. Your Committee received testimony in opposition to the proposed H.D. 1 from the Honolulu Police Department.

Your Committee finds that, to address the effect of a court ruling on the ban of electric guns in Hawaii, Act 183, Session Laws of Hawaii 2021, repealed the prohibition on electric guns while providing for regulations on the use, storage, transfer, disposal, and purchase of electric guns and electric projectile guns. Your Committee further finds that to protect public health and safety, it is imperative to regulate where electric guns may be carried by addressing certain sensitive locations such as schools, government buildings, and places where open meetings occur. Your Committee believes that the proposed H.D. 1 adds more safeguards and addresses safety concerns relating to an individual carrying an electric gun in certain sensitive locations.

Accordingly, 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1732, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1732, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, 4 (LoPresti, McKelvey, Tokioka, Ward). Excused, 1 (Nakamura).

**SCRep. 788-22 Judiciary & Hawaiian Affairs on H.B. No. 1455**

The purpose of this measure is to amend the offense of robbery in the first degree to include as part of the offense being armed with or using an electric gun during the course of a theft or non-consensual taking of a motor vehicle.

Your Committee received testimony in support of this measure from the Honolulu Police Department and three individuals.

Your Committee finds that the Hawaii Penal Code does not adequately address potential situations in which offenders committing theft or non-consensual taking of a motor vehicle are armed with electric guns. Your Committee is concerned that criminals may start using electric guns, which became legal for members of the public on January 1, 2022, for the facilitation of these crimes since these devices can cause pain and incapacitation but are less likely to cause death or serious bodily injury. This measure accordingly aims to address this concern and deter the use of an electric gun in the commission of a crime, particularly robbery.

You Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, 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. 1455, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1455, 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 (Nakamura).

**SCRep. 789-22 Judiciary & Hawaiian Affairs on H.B. No. 1822**

The purpose of this measure is to:

- (1) Amend the driver's license renewal period for licensees who are seventy years of age or older but younger than eighty years of age; and
- (2) Require applicants for a new driver's license or renewal of driver's license who are seventy years of age or older to present certification of physical and mental competence from a doctor.

Your Committee received testimony in support of this measure from the Department of Transportation and AARP Hawai'i. Your Committee received testimony in opposition to this measure from five individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that many seventy-year-olds are physically fit and mentally capable of performing a wide range of activities, including driving. Your Committee further finds that the Department of Transportation has not found any local data to indicate drivers aged seventy or older are at higher risk of causing or being involved in crashes. Therefore, your Committee believes that the current two-year renewal period for drivers aged seventy-two to seventy-nine should be extended to four years.

Accordingly, your Committee has amended this measure by:

- (1) Increasing the age at which a driver must renew their driver's license every four years from seventy years of age to seventy-two years of age;
- (2) Deleting language that required applicants for a new driver's license or renewal of driver's license who are seventy years of age or older to present certification of physical and mental competence from a doctor;
- (3) Changing the effective date to January 1, 2222, 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. 1822, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1822, 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 (Matayoshi). Noes, none. Excused, 1 (Nakamura).

**SCRep. 790-22 Judiciary & Hawaiian Affairs on H.B. No. 1453**

The purpose of this measure is to specify that refusing to provide identifying information to a police officer when being detained for a traffic offense is a petty misdemeanor.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, State of Hawaii Organization of Police Officers, and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that violators of the Statewide Traffic Code who refuse to provide identification to police officers are issued a citation for not producing identification. However, if the violator does not provide the police officer with identifying information, a citation cannot be issued. Your Committee finds that this hinders law enforcement in their duty to conduct traffic enforcement. This measure changes the penalty from a traffic infraction to a petty misdemeanor for refusing to provide identifying information to a police officer when stopped for a traffic offense.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that existing law does not require a person to provide an identification card when the person is stopped by a police officer.

As 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. 1453, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1453, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (LoPresti, Lowen, McKelvey, Takumi). Noes, 1 (D. Kobayashi). Excused, 1 (Nakamura).

#### **SCRep. 791-22 Judiciary & Hawaiian Affairs on H.B. No. 2247**

The purpose of this measure is to:

- (1) Amend the driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant to no less than one year and no more than eighteen months;
- (2) Allow early termination of driver's license revocation for first time offenders convicted of operating a vehicle under the influence of an intoxicant; and
- (3) Require the maximum license revocation period for people who are convicted of operating a vehicle under the influence of an intoxicant and do not own or have a vehicle or are unable to drive.

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, Hawai'i Police Department, and Mothers Against Drunk Driving Hawaii Advisory Board. Your Committee received comments on this measure from the Judiciary and Smart Start LLC, Hawaii Corporate Office.

Your Committee finds that an ignition interlock device is often the first line of defense in preventing a person who is under the influence of an intoxicant from operating a vehicle. Your Committee further finds that allowing the early termination of a driver's license revocation for offenders who have been convicted of operating a vehicle under the influence of an intoxicant and install and use an ignition interlock device will incentivize use of these devices and reduce the number of intoxicated drivers on the road, making Hawaii's roads safer for everyone.

Your Committee has amended this measure by:

- (1) Requiring any person whose driver's license has been administratively revoked or who has been convicted of offenses involving operating a vehicle under the influence of an intoxicant to provide proof of compliance with the ignition interlock law to be eligible for a driver's license, unless an unspecified amount of time has passed since the expiration of the license revocation period; and
- (2) Making technical, 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. 2247, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2247, 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 (Nakamura).

#### **SCRep. 792-22 Judiciary & Hawaiian Affairs on H.B. No. 2213**

The purpose of this measure is to establish the felony offense of mail theft.

Your Committee received testimony in support of this measure from the Department of the Attorney General and three individuals.

Your Committee finds that due to the ongoing coronavirus disease 2019 (COVID-19) pandemic, more residents are relying on shipping and delivery services. Your Committee further finds that there are rising incidents of reported mail and package theft in Hawaii. This measure will further enable the prosecution of theft of mail at the state level.

Your Committee has amended this measure by:

- (1) Placing the new offense under the Penal Code chapter that codifies offenses against property rights;
- (2) Clarifying that a person commits the offense of theft of mail by intentionally obtaining or exerting unauthorized control over mail, rather than by intentionally appropriating mail;
- (3) Amending the definition of "mail";
- (4) Changing the category of offense from a class C felony to a misdemeanor;
- (5) Changing the effective date to January 1, 2022, 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 H.B. No. 2213, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2213, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Matayoshi, McKelvey, Takumi). Noes, 1 (Tokioka). Excused, 1 (Nakamura).

#### **SCRep. 793-22 Judiciary & Hawaiian Affairs on H.B. No. 2464**

The purpose of this measure is to clarify when the use of deadly force is not justified.

Your Committee received testimony in support of this measure from the Stolen Stuff Hawaii, DC Project Hawaii, Hawaii County Game Management Advisory Commission, Libertarian Party of Hawaii, Hawaii Firearms Coalition, National Rifle Association of Hawaii, and numerous individuals. Your Committee received testimony in opposition to this measure from the US Concealed Carry Association, Hawaii Firearms Coalition, Valley Isle Sports Shooters Club, Hawaii Chapter of Moms Demand Action for Gun Sense in America, Everytown for Gun Safety, and numerous individuals. Your Committee received comments on this measure from two individuals.

Your Committee finds that public safety is enhanced by clarifying the circumstances under which the use of deadly force is not justifiable.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2022, 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. 2464, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2464, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Matayoshi). Noes, 4 (D. Kobayashi, Lowen, McKelvey, Takumi). Excused, 1 (Nakamura).

#### **SCRep. 794-22 Judiciary & Hawaiian Affairs on H.B. No. 2074**

The purpose of this measure is to clarify that defendants shall not apply credit for time served on a felony conviction toward the sentence imposed for a subsequent unrelated conviction.

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 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 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. Abithai*, 146 Hawaii 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 clarifies the intent of Act 50 by specifying that certain defendants shall not earn credit on a sentence imposed for a subsequent unrelated conviction for time being served on a previous felony conviction.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 2074, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2074, 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, none. Excused, 2 (D. Kobayashi, LoPresti).

#### **SCRep. 795-22 Finance on H.B. No. 1996**

The purpose of this measure is to amend the contents required to be submitted in each annual non-general fund program measures report and non-general fund cost element report.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, Department of Human Services, Department of Education, Department of Transportation, and Tax Foundation of Hawaii.

Your Committee finds that existing requirements for non-general fund program measures reports rely upon target population objectives and effectiveness measures for the ensuing six fiscal years. This measure changes the requirements to focus on the four prior fiscal years and ensuing two fiscal years and deletes program size indicators. This measure also requires that budget journal details by cost element be submitted as a part of the annual non-general fund cost element reports.

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. 1996, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1996, 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. 796-22 Judiciary & Hawaiian Affairs on H.B. No. 1584**

The purpose of this measure is to update:

- (1) The list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding the United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting the United States Citizenship and Immigration Services from the list; and
- (2) References to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including United States Customs and Border Protection.

Your Committee received testimony in support of this measure from the United States Immigration and Customs Enforcement-Homeland Security Investigations, Department of the Attorney General, Department of Transportation, Department of Public Safety, Kauai Police Department, Hawai'i Police Department, Honolulu Police Department, and Ho'ola Na Pua.

Your Committee finds that this measure will promote enhanced collaboration between agents of the United States Immigration and Customs Enforcement-Homeland Security Investigations and state law enforcement counterparts to better protect national security, prevent crimes of exploitation, combat financial crimes, investigate cybercrime and other threats, and ensure public safety.

As 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. 1584 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 (LoPresti).

#### **SCRep. 797-22 Judiciary & Hawaiian Affairs on H.B. No. 2049**

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 received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this statutory revision measure is submitted by the Legislative Reference Bureau pursuant to Chapter 23G, Hawaii Revised Statutes. All of the statutory amendments proposed by this measure are intended to be technical in nature to correct errors or omissions or to repeal obsolete laws.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2049 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 (D. Kobayashi, LoPresti).

#### **SCRep. 798-22 Judiciary & Hawaiian Affairs on H.B. No. 1541**

The purpose of this measure is to clarify the acceptable procedure for initiating criminal complaints to include a signature by the prosecuting officer.

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, Department of the Prosecuting Attorney for the County of Maui, Office of the Prosecuting Attorney for the County of Kaua'i, Office of the Prosecuting Attorney of the County of Hawaii, Honolulu Police Department, Hawai'i Police Department, Kauai Police Department, Mothers Against Drunk Driving Hawaii Advisory Board, and Hawai'i State Coalition Against Domestic Violence. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the Hawaii Supreme Court recently held that district court criminal complaints must strictly comply with section 805-1, Hawaii Revised Statutes, which requires the written complaint to be subscribed by the complainant under oath or be made by declaration in accordance with the rules of the court. The Court's ruling, however, did not specify who constituted a complainant or who could make the declaration, which has led to inconsistent rulings in the district courts across the State and cases being dismissed with or without prejudice based on the form of the complaint rather than the merits of the case. This measure addresses this issue by allowing prosecuting attorneys to review the evidence, decide which criminal charges are appropriate, and create a written complaint that the prosecuting attorney signs before filing. This process reflects how district court non-felony cases were initiated, and, for the most part, continue to be initiated, before the Court's decision.

As 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. 1541 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, 1 (LoPresti).

#### **SCRep. 799-22 Judiciary & Hawaiian Affairs on H.B. No. 1471**

The purpose of this measure is to amend:

- (1) The required information for petitions for qualification as a political party; and
- (2) The deadlines for political parties to file their rules and submit a list of the party officers to election officials.

Your Committee received testimony in support of this measure from the Office of Elections.

Your Committee finds that this measure will make it easier for qualified political parties to keep track of and facilitate compliance with elections laws by aligning the deadlines for the submission of political party rules and officers with the deadline for a petition for qualification as a political party. This measure also amends the date of birth information that a signatory to a political party petition must provide to match the requirements of a signatory to a nomination paper.

As 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. 1471 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, 1 (Nakamura).

#### **SCRep. 800-22 Finance on H.B. No. 1540**

The purpose of this measure is to authorize the issuance of general obligation bonds and makes findings required by article VII, section 13, of the Hawaii State Constitution to declare that the issuance of the authorized bonds will not cause the State's debt limit to be exceeded.

Your Committee received testimony in support of this measure from the Department of Budget and Finance.

Your Committee finds that article VII, section 13, of the 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. 1540 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. 801-22 Finance on H.B. No. 2355**

The purpose of this measure is to appropriate funds to provide for employment cost items for offices and employees of the Legislature, Legislative Reference Bureau, Auditor, Ombudsman, and Hawaii State Ethics Commission.

Your Committee received testimony in support of this measure from the Legislative Reference Bureau, Office of the Auditor, Office of the Ombudsman, and Hawaii State Ethics Commission.

Your Committee finds that this measure appropriates funds necessary to fund Employee-Union Health Benefits Trust Fund costs and other employment cost adjustments for officers and employees of the Legislature and legislative agencies who are exempt from collective bargaining.

As affirmed by the record of votes of 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. 2355 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, 14. Noes, none. Excused, 1 (Holt).

**SCRep. 802-22 Finance on H.B. No. 1711**

The purpose of this measure is to appropriate funds to the College of Tropical Agriculture and Human Resources at the University of Hawaii at Manoa to establish three full-time equivalent positions at the Kauai Research and Extension Station, including one livestock extension agent.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Maui County Farm Bureau; Hawaii Floriculture and Nursery Association; Ulupono Initiative; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc; and four individuals. Your Committee received comments on this measure from the University of Hawai'i System, Department of Agriculture, and 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. 1711, 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 (Holt).

**SCRep. 803-22 Finance on H.B. No. 1717**

The purpose of this measure is to:

- (1) Appropriate funds to the College of Tropical Agriculture and Human Resources at the University of Hawai'i at Mānoa to establish the Foreign Agriculture Small Equipment Pilot Program, in collaboration with a University of Hawai'i community college; and
- (2) Require the Dean of the College of Tropical Agriculture and Human Resources at the University of Hawai'i at Mānoa to submit a report to the Legislature prior to the Regular Session of 2023 on the progress of the pilot program.

Your Committee received testimony in support of this measure from the Land Use Research Foundation of Hawaii; Hawai'i Farm Bureau; Hawaii Floriculture and Nursery Association; Ulupono Initiative; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc.; Maui County Farm Bureau; and four individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and University of Hawai'i at Mānoa College of Tropical Agriculture and Human 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. 1717, 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 (Holt).

**SCRep. 804-22 Finance on H.B. No. 2061**

The purpose of this measure is to authorize the deposit of revenues from fees for diagnostic, surveillance, and other work by the Animal Industry Division Veterinary Laboratory and Animal Disease Control Branch of the Department of Agriculture into the Animal Industry Special Fund.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, 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. 2061, 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 (Holt).

**SCRep. 805-22 Finance on H.B. No. 2305**

The purpose of this measure is to appropriate funds to the University of Hawai'i for the College of Tropical Agriculture and Human Resources to study diseases affecting the production of ornamental ginger on Oahu and the Neighbor Islands.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Land Use Research Foundation of Hawaii, Hawai'i Farm Bureau, East O'ahu County Farm Bureau, Maui County Farm Bureau, Hawaii Floriculture and Nursery Association, Hawaii Crop Improvement Association, Maui County Farm Bureau, and three individuals. Your Committee received comments on this measure from the Department of Agriculture and 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. 2305, 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 (Holt).

**SCRep. 806-22 Finance on H.B. No. 2466**

The purpose of this measure is to exempt the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State from the general excise tax.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of the Attorney General, Department of Agriculture, 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. 2466, 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 (Holt).



**SCRep. 807-22 Finance on H.B. No. 2185**

The purpose of this measure is to authorize the University of Hawai'i to issue revenue bonds to finance facility construction, renovation, and modernization.

Your Committee received testimony in opposition to this measure from one individual. 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. 2185, 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 (Branco).

**SCRep. 808-22 Finance on H.B. No. 2188**

The purpose of this measure is to expand the authorized uses of funds in the University of Hawaii Tuition and Fees Special Fund to allow for the payment of salaries for University of Hawaii positions that have been previously authorized by the Legislature to be funded by general revenues of the State.

Your Committee received testimony in support of this measure from the Department of Budget and Finance, University of Hawai'i System, 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. 2188 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Branco).

**SCRep. 809-22 Finance on H.B. No. 2220**

The purpose of this measure is to appropriate funds for the University of Hawaii to increase the State's capacity to train new nurses and project future nursing workforce needs.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawai'i Pacific Health, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and University of Hawai'i at Mānoa Nancy Atmospera-Walch School of Nursing.

As affirmed by the record of votes of 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. 2220, 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 (Branco).

**SCRep. 810-22 Finance 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 Committee received testimony in support of this measure from the Department of Defense and Office of Homeland Security.

As affirmed by the record of votes of 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. 956, 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 (Holt).

**SCRep. 811-22 Finance on H.B. No. 957**

The purpose of this measure is to establish the Hawaii State Fusion Center and Director for the Hawaii State Fusion Center.

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

As affirmed by the record of votes of 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. 957, 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 (Holt).

**SCRep. 812-22 Finance on H.B. No. 1415**

The purpose of this measure is to establish and appropriate funds for a program within the Hawaii State Fusion Center to train, establish, and operate threat assessment teams, including for educational institutions.

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 Budget and Finance and Hawaii State Fusion Center.

As affirmed by the record of votes of 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. 1415, 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 (Holt, Todd).

**SCRep. 813-22 Finance on H.B. No. 1586**

The purpose of this measure is to:

- (1) Clarify that all federal funds received by the State for reimbursement of disaster-related expenses shall first be applied to the originating fund used by the department or agency for payment of disaster relief expenses, with funds to be returned to the general fund upon the lapse of the original appropriation;

- (2) Require each state agency to submit an annual report to the Administrator of the Hawaii Emergency Management Agency of certain information relating to funds expended for disaster purposes;
- (3) Require the Administrator of the Hawaii Emergency Management Agency to submit an annual report to the Legislature on the status of federal reimbursement monies for disaster response and disaster response spending by each state agency; and
- (4) Appropriate funds to the Department of Defense for disaster response efforts.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawai'i 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. 1586, 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. 814-22 Finance on H.B. No. 1588**

The purpose of this measure is to:

- (1) Establish the Resilient Hawaii Revolving Loan Fund to make low- or no-interest loans to local governments and nonprofit organizations to conduct hazard mitigation and resiliency projects, using funds anticipated to be available under the federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act; and
- (2) Appropriate funds to administer the Resilient Hawaii Revolving Loan Fund and for positions to administer the Resilient Hawaii Revolving Loan Fund.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Hawai'i 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. 1588, 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. 815-22 Finance on H.B. No. 1745**

The purpose of this measure is to appropriate funds to support Hawaii's food banks to meet the significantly heightened need for food assistance during the coronavirus disease 2019 pandemic.

Your Committee received testimony in support of this measure from the Office of Community Services; one member of the Maui County Council; Hawaii Food Bank; Hawai'i Health & Harm Reduction Center; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Ulupono Initiative; AlohaCare; Hawai'i Farm Bureau; Hawai'i Hunger Action Network; The Food Basket Inc., Hawai'i Island's Food Bank; Kaiser Permanente; Hawaii Medical Service Association; United Public Workers, AFSCME Local 646, AFL-CIO; UnitedHealthcare; Lanakila Pacific; Hawaii Food Industry Association; Hawai'i Foodbank Kaua'i; Obesity Prevention Task Force of the Hawai'i Public Health Institute; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawai'i Primary Care 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. 1745, 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 (Holt, Todd).

**SCRep. 816-22 Finance on H.B. No. 1587**

The purpose of this measure is to establish the intrastate mutual aid system to allow counties to share resources in times of emergency or in preparation for emergencies.

Your Committee received testimony in support of this measure from the Hawai'i Emergency Management Agency and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

As affirmed by the record of votes of 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. 1587, 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. 817-22 Finance on H.B. No. 1834**

The purpose of this measure is to:

- (1) Require and appropriate funds to the Department of Education to establish and administer the Strong Students Grant Pilot Program (Pilot Program) to provide grants for eligible education expenses to eligible students; and
- (2) Require the Department of Education to submit progress reports on the Pilot Program to the Legislature.

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 Budget and Finance, 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 H.B. No. 1834, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Perruso). Excused, none.

**SCRep. 818-22 Finance on H.B. No. 2120**

The purpose of this measure is to:

- (1) Clarify current practices, policies, and procedures for the State Emergency Management Program and make them consistent with prevailing emergency management best practices; and
- (2) Highlight the intent of the State to address environmental and climate impacts on emergency management.

Your Committee received testimony in support of this measure from the Department of Defense, Hawai'i Emergency Management Agency, and Hawaii State Energy Office.

As affirmed by the record of votes of 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. 2120, 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. 819-22 Finance on H.B. No. 2302**

The purpose of this measure is to appropriate monies to the University of Hawaii for the continued operation and disaster preparedness outreach efforts of the University of Hawaii Sea Grant College Program.

Your Committee received testimony in support of this measure from The Friends of Makakilo and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawai'i Emergency Management Agency, and University of Hawai'i Sea Grant College Program.

As affirmed by the record of votes of 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. 2302, 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. 820-22 Finance on H.B. No. 2493**

The purpose of this measure is to:

- (1) Establish the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program to incentivize carbon sequestration activities through contracts that provide for compensation for eligible practices by program participants; and
- (2) Appropriate funds for positions and administration of the Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Green Infrastructure Authority, one member of the Hawai'i County Council, Recycle Hawaii and Clean the Pacific, Climate Protectors Hawai'i, Kauai Women's Caucus, 350Hawaii.org, Hawai'i Gas, The Nature Conservancy - Hawai'i and Palmyra, Environmental Caucus of the Democratic Party of Hawai'i, and ten individuals. Your Committee received comments on this measure from the Department of Agriculture; Department of Budget and Finance; Office of Planning and Sustainable Development; Hawai'i Farm Bureau; and Hawaii Cattlemen's Council, 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. 2493, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 821-22 Finance on H.B. No. 1526**

The purpose of this measure is to:

- (1) Require each county to incorporate into its next integrated solid waste management plan revision a plan to divert all organic waste produced within the county by facilities generating more than a certain amount of organic waste per year; and
- (2) Appropriate funds to reimburse the counties for incorporation of the new requirement into their plan revisions.

Your Committee received testimony in support of this measure from the Department of Health, Kauai Climate Action Coalition, Climate Protectors Hawai'i, Hawaii Farmers Union United, Hawaii Food+ Policy Internship 2022, Hawai'i Alliance for Progressive Action, and three individuals. 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. 1526, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 822-22 Finance on H.B. No. 1637**

The purpose of this measure is to authorize a county to impose an annual in-lieu fee on land or improvements on land that are actively used to produce or store renewable energy that is sold to an electric utility, under certain conditions.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Hawaii State Energy Office, Kaua'i Island Utility Cooperative, Hawaii Solar Energy Association, and Clearway Energy Group. Your Committee received testimony in opposition to this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Hawaiian Electric Company, Inc.; 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. 1637, 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 (Holt, McDermott).

**SCRep. 823-22 Finance on H.B. No. 1640**

The purpose of this measure is to:

- (1) Change the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act;
- (2) Establish electronic device manufacturer recycling goals, including percentage benchmarks for determining a manufacturer's recycling obligations for 2023, 2024, and 2025, and record-keeping and reporting requirements for manufacturers and collectors;
- (3) Require collectors to register with the Department of Health and establish collector record-keeping and reporting requirements;
- (4) Expand the recycling and collection requirements of televisions to all electronic devices; and
- (5) Require the Electronic Device Recycling and Recovery Program to include, among other things, a description of the methods for the convenient collection of electronic devices.

Your Committee received testimony in support of this measure from the Department of Health, Department of Environmental Management of the County of Maui, Mr. K's Recycle and Redemption Center, Zero Waste Hawaii Island, and eight individuals. Your Committee received testimony in opposition to this measure from the Consumer Technology Association. Your Committee received comments on this measure from the Department of Environmental Management of the County 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. 1640, 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 (Holt, McDermott).

**SCRep. 824-22 Finance on H.B. No. 1644**

The purpose of this measure is to:

- (1) Beginning December 31, 2024, ban the manufacture, sale, or distribution for sale or use of certain food packaging that contain perfluoroalkyl and polyfluoroalkyl substances; and
- (2) Beginning July 1, 2024, ban the discharge or otherwise use for training purposes, and the manufacture, sale, or distribution for sale or use of Class B firefighting foams that contain perfluoroalkyl and polyfluoroalkyl substances.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawaii, Surfrider Foundation Hawaii Region, League of Women Voters of Hawaii, Hawaii Reef and Ocean Coalition, and eight 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 Health, Hawaii Restaurant Association, and American Chemistry 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 H.B. No. 1644, 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 (Holt, McDermott).

**SCRep. 825-22 Finance on H.B. No. 1801**

The purpose of this measure is to:

- (1) Require state facilities, with the exception of smaller facilities, 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 thirty percent reduction in the electricity consumption of state facilities;
- (4) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures; and
- (5) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water 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 Ulupono Initiative, 350Hawaii.org, Climate Protectors Hawaii, Blue Planet Foundation, Hawaii Energy, Citizens' Climate Lobby – Hawaii Island Chapter, Elemental Excelsior, and numerous individuals. Your Committee received comments on this measure from the Department of Accounting and General Services 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. 1801, 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 (Holt, McDermott).

**SCRep. 826-22 Finance on H.B. No. 2090**

The purpose of this measure is to establish a Zero-Emission Vehicle Rebate Program within the Public Utilities Commission to enable low- and moderate-income families greater access to zero-emission vehicles by providing a rebate on the point-of-sale purchase price of zero-emission vehicles.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; one member of the Hawaii County Council; 350Hawaii.org; Our Revolution Hawaii; Climate Protectors Hawaii; Blue Planet Foundation; Big Island Electric Vehicle Association; Hawaii Electric Vehicle Association; Hawaiian Electric Company; and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Motor Vehicle Industry Licensing Board, Public Utilities Commission, Hawaii State Energy Office, KauaiEV, Ulupono Initiative, Hawaii Automobile Dealers' Association, Alliance for Automotive Innovation, and Hawaii Energy.

As affirmed by the record of votes of 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. 2090, 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 (Holt, McDermott).

**SCRep. 827-22 Finance on H.B. No. 2195**

The purpose of this measure is to establish and appropriate funds for a Cesspool Compliance Pilot Grant Project to assist low- and moderate-income property owners and lessees on Hawaiian home lands with the costs of upgrading, converting, or connecting a cesspool that the Department of Health has identified as failing.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, one member of the Hawai'i County Council, Kahalu'u Neighborhood Board No. 29, Kauai Climate Action Coalition, Hawai'i Reef and Ocean Coalition, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health and 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. 2195, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 828-22 Finance on H.B. No. 2278**

The purpose of this measure is to:

- (1) Amend the Environmental Response, Energy, and Food Security Tax to tax carbon emissions; and
- (2) Establish a refundable income tax credit to mitigate the effect of the carbon emissions tax.

Your Committee received testimony in support of this measure from the Citizens' Climate Lobby – Hawaii Island Chapter, Citizens' Climate Lobby – Honolulu Chapter, Climate Protectors Hawai'i, Faith Action for Community Equity, Kauai Climate Action Coalition, The Nature Conservancy, Sustainable Energy Hawai'i, KauaiEV, First Unitarian Church, and nineteen individuals. Your Committee received testimony in opposition to this measure from Hawaii Logistic Service, Hawaii Transportation Association, Practical Policy Institute of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawaii State Energy Office, Citizens' Climate Lobby Hawaii, Ulupono Initiative, Imua Alliance, Par Hawaii, Grassroot Institute of Hawaii, Tax Foundation of Hawaii, Airlines for America, 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. 2278, 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 (Holt, McDermott).

**SCRep. 829-22 Finance on H.B. No. 2399**

The purpose of this measure is to:

- (1) Establish an Extended Producer Responsibility Program;
- (2) Require certain producers of fast-moving consumer goods to register with the Department of Health and pay an annual fee based on the amount of packaging volume the covered producer places on the market each calendar year;
- (3) Establish the Extended Producer Responsibility Special Fund;
- (4) Provide for the expenditure of monies from the Extended Producer Responsibility Special Fund for the creation of a report that assesses the resources needed to reduce the volume of packaging waste sent to landfills or power plants that burn municipal solid waste as a fuel by specified percentages by a date to be determined by rule; and
- (5) Appropriate funds for the preparation of the countywide need assessments, administration of the Extended Producer Responsibility Program, and for hiring of one full-time equivalent position.

Your Committee received testimony in support of this measure from the Department of Health; one member of the Hawai'i County Council; Department of Environmental Management of the County of Hawai'i; Department of Environmental Management of the County of Maui; Big Island Reef Keepers Hui; PlasticFreeRestaurants.org; Recycle Hawai'i; Clean the Pacific; Blue Ocean Warriors; Kauai Climate Action Coalition; Hawai'i Reef and Ocean Coalition; Kauai Women's Caucus; 350Hawaii.org; Environmental Caucus of the Democratic Party of Hawai'i; Sierra Club of Hawai'i, Hawai'i Island Group; Koko Kai Foods LLC, dba Koko Kai Coconut Yogurt; Cyanotech Corporation; Zero Waste Hawai'i Island; Fair Wind Cruises; Island Naturals Markets; Volcano Precious Plastic; Sweet Cane Cafe; Zero Waste O'ahu; Hana Hou Recycling; Chamber of Sustainable Commerce; Surfrider Foundation Hawai'i Region; Hilo Downtown Improvement Association; Hawai'i Alliance for Progressive Action; Hawai'i Wildlife Fund; Zero Waste USA; Mr. K's Recycle & Redemption Center Inc.; No Pohō; Pono Home; a sign-on letter by numerous businesses; and numerous individuals. Your Committee received testimony in opposition to this measure from Island Plastic Bags Inc., Hawaii Food Industry Association, American Beverage Association, Wine Institute, Hawaiian Chip Company, Hawaii Crop Improvement Association, Consumer Healthcare Products Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Animal Health Institute, American Chemistry Council, Maui Chamber of Commerce, Plastic Paradise, 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. 2399, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 830-22 Finance on H.B. No. 2423**

The purpose of this measure is to require all state building construction projects and state highway projects to use building and construction materials that seek to reduce their carbon footprint, where feasible and cost effective.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Hawai'i County Council, 350Hawaii.org, Climate Protectors Hawai'i, Citizens' Climate Lobby – Hawaii Island Chapter, Environmental Caucus of the Democratic Party of Hawai'i,

and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from 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. 2423, 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 (Holt, McDermott).

**SCRep. 831-22 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 one individual. Your Committee received comments on this measure from the Department of Taxation and 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. 1184, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 3 (Marten, Perruso, Tam). Excused, 1 (Holt).

**SCRep. 832-22 Finance on H.B. No. 1516**

The purpose of this measure is to prohibit as an unfair and deceptive practice the advertisement of a good or service in the absence of licenses or permits for the good or service, to the extent the licenses or permits are required by applicable state and county laws.

Your Committee received testimony in support of this measure from the Hawaii Funeral & Cemetery Association, 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. 1516, 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 (Holt).

**SCRep. 833-22 Finance on H.B. No. 1983**

The purpose of this measure is to:

- (1) Establish the State Film Liaison within the Creative Industries Division of the Department of Business, Economic Development, and Tourism to plan, develop, and execute a statewide film industry development strategy for purposes of establishing a collaborative film industry development program; and
- (2) Appropriate funds for the establishment of the State Film Liaison position.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and 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. 1983, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (Wildberger). Excused, 2 (Holt, Sayama).

**SCRep. 834-22 Finance on H.B. No. 2177**

The purpose of this measure is to:

- (1) Expand the Department of Taxation's authority to require electronic filings;
- (2) Require certain tax return preparers to electronically file returns;
- (3) Repeal language that authorized the Director of Taxation to require electronic funds transfer or electronic filing if the federal government required a person to do so;
- (4) Remove the timeliness requirement of the electronic funds transfer penalty;
- (5) Remove the authority of the Department of Taxation to charge for certified copies of tax clearances;
- (6) Clarify tax clearances for liquor license holders;
- (7) Increase the aggregate cap on late filing penalties;
- (8) Create an additional penalty category for late filing for certain informational returns where no tax is due;
- (9) Clarify the interest calculations for taxes paid pending appeal; and
- (10) Specify that a partnership, estate, or trust is liable for the required withholding from a nonresident taxpayer's distributive share of income.

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 H.B. No. 2177, H.D. 2, 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 (Holt).

**SCRep. 835-22 Finance on H.B. No. 1568**

The purpose of this measure is to amend the law that requires all state departments to ensure that a certain percentage of food that is purchased is locally grown and consists of fresh local agricultural products or local value-added, processed, agricultural, or food products, to:

- (1) Apply only to the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System for food purchased for public schools, youth campuses, public hospitals, public prisons, and University of Hawaii facilities;
- (2) Clarify that these purchasing requirements do not encompass departmental or university staff travel expenses, office staff procurement, and other staff meals separate from each of the covered state entities' offered meal services or programs; and
- (3) Require each applicable state entity to annually report to the Legislature on its progress toward meeting established benchmarks.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Hawai'i Farm Bureau; and two individuals. Your Committee received comments on this measure from the Department of Health, University of Hawai'i System, Department of Public Safety, Hawai'i Alliance for Progressive Action, Food+ Policy Internship 2022, Ka Ohana O Na Pua, 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. 1568, 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 (Holt, McDermott).

**SCRep. 836-22 Finance on H.B. No. 1432**

The purpose of this measure is to:

- (1) Increase the maximum term of a concession;
- (2) Exempt concessions for beach or ocean-related recreational services from sealed bid requirements, with certain conditions;
- (3) Provide that a county director of parks and recreation has sole discretion to designate which county parks are environmentally, culturally, historically, or operationally unique for purposes of determining whether a concession at the park is exempt from the sealed bid requirements; and
- (4) Expand the exemption for concessions at county zoos, botanic gardens, or county parks that are designated as environmentally, culturally, historically, or operationally unique; provided that the concessions are awarded to responsible offerors whose proposals are the most advantageous, rather than solely to certain nonprofit corporations.

Your Committee received testimony in support of this measure from the Department of Enterprise Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the Palekaiko Beachboys Club.

As affirmed by the record of votes of 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. 1432, 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 (Holt, Todd).

**SCRep. 837-22 Finance on H.B. No. 1691**

The purpose of this measure is to:

- (1) Lower the minimum age required for a commercial driver's license and require the Department of Transportation to amend its rules accordingly;
- (2) Repeal the requirement that a person only operate category 3 vehicles to qualify to drive commercially in the State; and
- (3) Repeal the requirement that an application for a commercial driver's license or commercial learner's permit include intrastate driver certification.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Transportation 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. 1691, 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 (Holt, Todd).

**SCRep. 838-22 Finance on H.B. No. 2482**

The purpose of this measure is to:

- (1) Authorize public schools and public charter schools to have an employee trained to administer or assist with self-administration of seizure disorder rescue medication, with certain exemptions;
- (2) Authorize all principals, guidance counselors, and teachers to perform an annual self-review of seizure disorder materials;
- (3) Allow a seizure action plan for every diagnosed student to be established and distributed to employees or volunteers charged with supervising the student; and
- (4) Appropriate funds for these purposes.

Your Committee received testimony in support of this measure from the Epilepsy Foundation of Hawaii, Epilepsy Foundation of America, Hawai'i Primary Care Association, and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, State Public Charter School Commission, Hawaii Association for Justice, and Special Education Advisory 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 H.B. No. 2482, 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 (Holt, Todd).

**SCRep. 839-22 Finance on H.B. No. 1784**

The purpose of this measure is to:

- (1) Require periodic inspections of certain walls and appurtenances of buildings five or more stories in height; and
- (2) Authorize the State Building Code Council to review the periodic inspection reports.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Community Associations Institute Legislative Action Committee, Associa, and one individual. Your Committee received comments on this measure from the Hawaii Insurers Council 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. 1784, 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. 840-22 Finance on H.B. No. 124**

The purpose of this measure is to require the Chief Election Officer to develop and distribute a voter information guide for all candidates running for state office, including candidates for the Board of Trustees of the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from Common Cause Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance and 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 H.B. No. 124, 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. 841-22 Finance on H.B. No. 1692**

The purpose of this measure is to amend the fines imposed for unlawfully operating a motor vehicle while using a mobile electronic device.

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. 1692 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, 2 (Holt, Todd).

**SCRep. 842-22 Finance on H.B. No. 1759**

The purpose of this measure is to appropriate funds to the Judiciary to contract with nonprofit organizations to provide legal counsel and assistance to low-income immigrants in immigration proceedings, including deportation defense and asylum, and for any other immigration legal issues.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Office of Community Services of the Department of Labor and Industrial Relations, The Legal Clinic, Catholic Charities Hawai'i, Pacific Gateway Center, Hawai'i Coalition for Immigrant Rights, Hawai'i Access to Justice Commission, and four individuals. Your Committee received comments on this measure from the Department of Human Services and 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. 1759 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 843-22 Finance on H.B. No. 1883**

The purpose of this measure is to require the exterior of the envelope containing a ballot package for elections by mail to include instructions on how to obtain language translation services in Hawaiian and certain other non-English languages.

Your Committee received testimony in support of this measure from the Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, League of Women Voters of Hawaii, Common Cause Hawaii, Hawai'i Public Health Institute, Hawai'i Alliance for Progressive Action, and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of Elections and City and County of Honolulu Elections Division.

As affirmed by the record of votes of 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. 1883, 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 (Holt, Todd).

**SCRep. 844-22 Finance on H.B. No. 2076**

The purpose of this measure is to authorize:

- (1) Tobacco product manufacturers that are not signatories to the Master Settlement Agreement to assign their interest in any qualified escrow fund balances to the State; and
- (2) Financial institutions acting as the escrow agent of the qualified escrow fund to petition the courts to authorize transfer of funds to the State when the qualified escrow fund is abandoned.

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. 2076, 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. 845-22 Finance on H.B. No. 2085**

The purpose of this measure is to propose amendments to the Constitution of the State of Hawaii to expressly provide that the Legislature may authorize political subdivisions to issue tax increment bonds and to exclude tax increment bonds in calculating the debt limit of the political subdivisions.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; D.R. Horton Hawaii LLC; and NAIOP Hawaii. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

As affirmed by the record of votes of 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. 2085 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (McDermott). Excused, 2 (Holt, Todd).

**SCRep. 846-22 Finance on H.B. No. 2365**

The purpose of this measure is to:

- (1) Establish an Electronic Citation Special Fund to support a statewide electronic citation program under the Judiciary;
- (2) Establish an electronic citation surcharge to be assessed to various traffic violations, with revenues to be deposited into the Electronic Citation Special Fund; and
- (3) Require the Judiciary to adopt procedures to distribute monies from the Electronic Citation Special Fund to the respective law enforcement agencies and the Administrative Director of the Courts to defray expenses related to the establishment, implementation, operation, oversight, repair, and maintenance of an electronic citation program.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Hawai'i Police Department, and Maui Police Department. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and 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. 2365 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 847-22 Finance on H.B. No. 227**

The purpose of this measure is to bolster the Department of Health's enforcement activities to protect the health, safety, and welfare of the State's elderly and vulnerable populations by:

- (1) Clarifying the group of professionals who are prohibited from knowingly referring or transferring patients to an uncertified or unlicensed care facility;
- (2) Repealing 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) Requiring 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, Executive Office on Aging, Big Island Adult Foster Home Operators, United Caregivers of Hawaii, Adult Foster Home Association of Hawaii, Okano Care Home, and ten individuals. Your Committee received testimony in opposition to this measure from the 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 H.B. No. 227, 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 (Holt).

**SCRep. 848-22 Finance on H.B. No. 1419**

The purpose of this measure is to require the Office of Enterprise Technology Services to develop, publish, and periodically update electronic information technology disability access standards to be implemented and used by all state entities.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Statewide Independent Living Council of Hawaii, National Federation of the Blind of Hawaii, Hawaii State Committee of Blind Vendors, and seven individuals. Your Committee received comments on this measure from the Office of Enterprise Technology Services, Hawaii State Council on Developmental Disabilities, and Disability and Communication Access 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. 1419, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Ilagan, Todd).

**SCRep. 849-22 Finance on H.B. No. 1550**

The purpose of this measure is to reestablish the Hawaii Medical Education Special Fund to enable the John A. Burns School of Medicine to provide funding for graduate medical education and training programs in the State.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine, Hawaii Medical Association, Hawai'i Primary Care Association, Hawai'i Psychiatric Medical Association, and Hawai'i Pacific Health. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Waianae Coast Comprehensive Health Center.

As affirmed by the record of votes of 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. 1550, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

**SCRep. 850-22 Finance on H.B. No. 1553**

The purpose of this measure is to:

- (1) Remove the ceiling and lapsing provision for the Office of Health Care Assurance Special Fund; and
- (2) Allow monies in the Office of Health Care Assurance Special Fund to be used during any fiscal year for the activities carried out by the Office of Health Care Assurance.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received comments on this measure from the Department of 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. 1553, 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 (Holt).

**SCRep. 851-22 Finance on H.B. No. 1579**

The purpose of this measure is to:

- (1) Set the proper manner by which the Oahu Regional Health Care System should seek operational funding during the transition process of its facilities from the Hawaii Health Systems Corporation to the Department of Health;
- (2) Extend the date by which the transfer is to be completed from December 31, 2022, to December 31, 2023;
- (3) Require the transition working group to submit an additional report to the Legislature prior to the convening of the Regular Session of 2023;
- (4) Clarify the procedure for the working group to discuss matters concerning patient privacy and prospective bidders; and
- (5) Appropriate funds for the creation of a comprehensive business plan and transfer framework.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, University of Hawai'i System, Office of Information Practices, Hawaii Health Systems Corporation Corporate Board of Directors, and Oahu Region of the Hawaii Health Systems 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. 1579, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

**SCRep. 852-22 Finance on H.B. No. 1758**

The purpose of this measure is to allow temporary permits to be issued to registered nurses and licensed practical nurses pending verification of licensure from a territory or foreign country in order to obtain state licensure by endorsement.

Your Committee received testimony in support of this measure from the East Hawaii Region of Hawaii Health Systems Corporation, The Legal Clinic, Healthcare Association of Hawaii, Hawaii Medical Service Association, Hawai'i Primary Care Association, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Hawai'i - American Nurses Association, and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Nursing, Hawai'i State Center for Nursing, 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. 1758, 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. 853-22 Finance on H.B. No. 1797**

The purpose of this measure is to establish and appropriate funds for a Medical Respite Pilot Program to provide outpatient health care and supportive services to homeless persons recently discharged from the hospital and non-hospitalized homeless persons who are being moved by police out of unauthorized spaces.

Your Committee received testimony in support of this measure from Kalihi-Palama Health Center and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and 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. 1797, 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. 854-22 Finance on H.B. No. 1798**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist The Queen's Health Systems with the construction of, improvement to, and equipping of its health care facilities.

Your Committee received testimony in support of this measure from The Queen's Health Systems. 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. 1798, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

**SCRep. 855-22 Finance on H.B. No. 1893**

The purpose of this measure is to:

- (1) Require the transfer of the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System and then to the Department of Health as part of the Oahu Regional Health Care System transfer pursuant to Act 212, Session Laws of Hawaii 2021;
- (2) Set the manner by which the Oahu Regional Health Care System should seek operational funding during the transition process of its facilities from the Hawaii Health Systems Corporation to the Department of Health;
- (3) Set the manner by which the Oahu Regional Health Care System should seek operational funding for the Daniel K. Akaka State Veterans Home;
- (4) Extend the date by which the transfer of the Oahu Regional Health Care System is to be completed from December 31, 2022, to December 31, 2023;
- (5) Amend the composition, reporting requirements, duties, and exemptions of the transition working group;
- (6) Appropriate funds for the creation of a comprehensive business plan and transfer framework; and
- (7) Specify Department of Health authority over and requirements for reduction or elimination of direct patient care services at the Daniel K. Akaka State Veterans Home.

Your Committee received testimony in support of this measure from the Department of Defense, State Office of Veterans' Services, Office of the Adjutant General, and one individual. Your Committee received comments on this measure from the Department of Accounting and General Services; Department of Health; Office of Information Practices; Hawaii Health Systems Corporation Corporate Board of Directors; Oahu Region of the 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. 1893, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 856-22 Finance on H.B. No. 1954**

The purpose of this measure is to:

- (1) Appropriate funds as a grant-in-aid to the Board of Water Supply of the City and County of Honolulu for emergency operations, future planning, and remediation resulting from the contamination of the Southern Oahu Basal Aquifer; and
- (2) Require the Board of Water Supply of the City and County of Honolulu to submit reports to the Legislature on the expenditure of the funds, remediation efforts, and testing quality prior to the convening of the Regular Sessions of 2023, 2024, and 2025.

Your Committee received testimony in support of this measure from the Board of Water Supply of the City and County of Honolulu; one member of the Hawai'i County Council; Livable Hawaii Kai Hui; Environmental Caucus of the Democratic Party of Hawai'i; Veterans for Peace, Hawai'i Ch. 113; 350Hawaii.org; Recycle Hawaii; Clean the Pacific; and seven individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and 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. 1954, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

**SCRep. 857-22 Finance on H.B. No. 1932**

The purpose of this measure is to establish, and appropriate funds for, a pilot program to develop a modern case management software solution compatible with existing child welfare technology in the Child Welfare Services Branch of the Department of Human Services.

Your Committee received testimony in support of this measure from Binti, Inc. Your Committee received comments on this measure from the Department of Human Services and 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. 1932, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 858-22 Finance on H.B. No. 1945**

The purpose of this measure is to:

- (1) Require the Department of Human Services to establish a Neighbor Islands Blind and Visually Impaired Service Pilot Program that provides training and other services to blind or visually impaired individuals residing on the neighbor islands; and
- (2) Appropriate funds for the pilot program, subject to a matching requirement.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and Hawaii Disability Rights Center. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Executive Office on Aging, National Federation of the Blind of 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 H.B. No. 1945, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

#### **SCRep. 859-22 Finance on H.B. No. 1980**

The purpose of this measure is to:

- (1) Permit, but not require, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic behavioral health services under certain circumstances; and
- (2) Clarify that telephonic services do not constitute telehealth.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, John A. Burns School of Medicine of the University of Hawai'i at Manoa, Hawaii Medical Service Association, and Hawaii Medical Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Healthcare Association of Hawaii, AARP Hawai'i, Hawai'i Primary Care Association, Hawai'i Pacific Health, Hawai'i Psychological Association, Hawaii Psychiatric Medical Association, National Association of Social Workers-Hawai'i, The Queen's Health Systems, The Hawaiian Islands Association for Marriage and Family Therapy, and Hawaii Association of Health Plans.

As affirmed by the record of votes of 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. 1980, 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. 860-22 Finance on H.B. No. 2058**

The purpose of this measure is to appropriate funds as a grant to the Waianae Coast Comprehensive Health Center for the operation of its twenty-four hour emergency department.

Your Committee received testimony in support of this measure from the Waianae Coast Comprehensive Health Center and five individuals. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, and Hawaii Primary Care 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. 2058, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

#### **SCRep. 861-22 Finance on H.B. No. 2155**

The purpose of this measure is to increase the marriage license fee to:

- (1) Support the Hawaii Birth Defects Program;
- (2) Fund modernization of the vital statistics system;
- (3) More fairly compensate marriage license agents; and
- (4) Support the spouse and child abuse programs of the Department of Human Services and Judiciary.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, and Disability and Communication Access 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. 2155, 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 (Holt).

#### **SCRep. 862-22 Finance on H.B. No. 2260**

The purpose of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between medical cannabis dispensaries;
- (2) Increase the number of production centers and retail dispensing locations that may be allowed under a dispensary license;
- (3) Redefine the term "medical cannabis production center" to include any series of structures located within the same secured perimeter fence-line;
- (4) Increase the allowable number of plants for production centers;
- (5) Require the Department of Health to establish the fee structure for the submission of applications for additional production centers and retail dispensing locations and dispensary-to-dispensary sales; and
- (6) Amend the Department of Health's duties with respect to the establishment of standards for manufactured cannabis products.

Your Committee received testimony in support of this measure from Maui Grown Therapies, Big Island Grown Dispensaries, Hawai'i Cannabis Industry Association, Aloha Green Apothecary, Green Aloha Ltd., one individual, and a form letter signed by numerous individuals. Your Committee received

testimony in opposition to this measure from Care Waialua Farm and one individual. Your Committee received comments on this measure from the Department of Health, Cure Oahu, Hawaiian Ethos LLC, Marijuana Policy Project, and Akamai Cannabis Consulting.

As affirmed by the record of votes of 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. 2260, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 863-22 Finance on H.B. No. 2338**

The purpose of this measure is to:

- (1) Appropriate funds from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2022-2023; and
- (2) Authorize the Department of Health to expend those funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, County of Hawai'i Police Department, and Mothers Against Drunk Driving 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. 2338, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 864-22 Finance on H.B. No. 1789**

The purpose of this measure is to:

- (1) Require the representative of labor on the Hawaii Labor Relations Board to be a person selected by a majority of the exclusive representatives of the collective bargaining units; and
- (2) Provide a timeframe for the Governor to appoint the representative of labor following submission of the nominee's name.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO. 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. 1789, 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 (Holt, Todd).

**SCRep. 865-22 Finance on H.B. No. 2159**

The purpose of this measure is to:

- (1) Require workforce development boards to develop written conflict of interest policies that are consistent with federal law;
- (2) Rename the Workforce Development Council as the Hawaii Workforce Development Board and adjust its composition; and
- (3) Clarify that the Director of Labor and Industrial Relations is to appoint and fix the compensation of the Hawaii Workforce Development Board's Executive Director.

Your Committee received comments on this measure from the Department of Labor and Industrial Relations, University of Hawai'i System, and Workforce Development 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 H.B. No. 2159, 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. 866-22 Finance on H.B. No. 1619**

The purpose of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii Insurers Council, GEICO, and Hawaii Association for Justice. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Turo, and Getaround.

As affirmed by the record of votes of 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. 1619, 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, Perruso, Tam, Wildberger). Noes, none. Excused, 2 (Holt, Todd).

**SCRep. 867-22 Finance on H.B. No. 1971**

The purpose of this measure is to:

- (1) Authorize and regulate peer-to-peer car-sharing;
- (2) Impose the general excise tax and rental motor vehicle surcharge tax on peer-to-peer car-sharing programs and require these programs to collect and remit taxes and surcharges to the Department of Taxation; and
- (3) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Director of Taxation.

Your Committee received testimony in support of this measure from Enterprise Holdings. Your Committee received testimony in opposition to this measure from the Office of Consumer Protection of the Department of Commerce and Consumer Affairs. Your Committee received comments on this measure from the Department of Taxation, Insurance Division of the Department of Commerce and Consumer Affairs, Tax Foundation of Hawaii, Hawaii Insurers Council, Turo, Geico, and Hawaii Association for Justice.

As affirmed by the record of votes of 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. 1971, 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. 868-22 Finance on H.B. No. 2023**

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for certain transit-oriented development projects identified in the Hawaii Strategic Plan for Transit-Oriented Development.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Hawaii Interagency Council for Transit-Oriented Development, 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. 2023, 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. 869-22 Finance on H.B. No. 2246**

The purpose of this measure is to amend the State Highway Enforcement Program surcharge.

Your Committee received testimony in support of this measure from the Department of Transportation and one member of the Maui County Council. Your Committee received comments on this measure from the 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 H.B. No. 2246, 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, none. Excused, 2 (Holt, Todd).

**SCRep. 870-22 Finance on H.B. No. 438**

The purpose of this measure is to require the Department of Education to:

- (1) Develop a plan, in consultation with the Board of Education, to reduce the use of external contracts for curricula, instruction, and testing for public schools;
- (2) Convene an advisory committee to assist the Department in developing and implementing the plan; and
- (3) Submit interim and final reports on the plan to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association and Democratic Party of Hawai'i Education Caucus. 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. 438, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 871-22 Finance on H.B. No. 811**

The purpose of this measure is to allow each home-schooled, high school-age student to participate as an unattached competitor in any individual sport at sanctioned athletic events and available to the public school that the student would otherwise be required to attend.

Your Committee received testimony in support of this measure from nine individuals. Your Committee received testimony in opposition to this measure from the Stonewall Caucus of the Democratic Party of Hawai'i 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. 811, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Marten, Perruso, Tam, Todd). Noes, none. Excused, none.

**SCRep. 872-22 Finance on H.B. No. 1561**

The purpose of this measure is to:

- (1) Establish an Adult Workforce Readiness Program to provide opportunities for students to earn associate degrees, workforce development diplomas, and industry-recognized certificates;
- (2) Require the Department of Education to designate schools to participate in the Program; and
- (3) Appropriate funds for the Program and to establish and hire two full-time equivalent Adult Workforce Readiness Program Coordinators.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Council on Developmental Disabilities, McKinley Community School for Adults, Waipahu Community School for Adults, Chamber of Commerce Hawaii, Susannah Wesley Community Center, Hawaii State Teachers Association, Society of Human Resource Management Hawaii, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance 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. 1561, 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 (Branco).

**SCRep. 873-22 Finance on H.B. No. 1562**

The purpose of this measure is to add the Director of Hawaii P-20 Partnerships for Education as an ex officio, nonvoting member of the Early Learning Board.

Your Committee received testimony in support of this measure from the Department of Education and University of Hawai'i System. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Early Learning Board and Executive Office on Early Learning.

As affirmed by the record of votes of 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. 1562, 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 (Branco).

**SCRep. 874-22 Finance on H.B. No. 1697**

The purpose of this measure is to:

- (1) Require the Department of Education to provide comprehensive training for teachers and educational officers on sexual health topics that include positive and accurate representations of the lesbian, gay, bisexual, transgender, queer or questioning, intersex, asexual, other sexual orientations and gender identities, persons of color, and disability communities to destigmatize and promote sexual health; and
- (2) Require sexuality health education programs funded by the State to include similar sexual health topics to destigmatize and promote sexual health.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Hawai'i State Commission on the Status of Women, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, North Shore Ko'olau Diversity Collective, Hawai'i Health & Harm Reduction Center, Hawaii Youth Services Network, Planned Parenthood Alliance Advocates, Hawaii Children's Action Network Speaks!, American Association of University Women of Hawaii, Hawaii Rainbow Chamber of Commerce, AF3IRM Hawai'i, and numerous individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party, PEACE Global, We the People, 'Ohana o Kaua'i, and numerous 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 H.B. No. 1697, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, 1 (McDermott). Excused, 3 (Eli, Holt, Todd).

**SCRep. 875-22 Finance on H.B. No. 1775**

The purpose of this measure is to:

- (1) Define the scope and application of state laws prohibiting discrimination in state educational programs and activities and establish requirements with which entities that have state education programs or activities, or that receive state funding for educational programs or activities, must comply;
- (2) Require annual reporting to the Legislature on the number and types of discrimination cases received by the University of Hawaii, Department of Education, and public charter schools and other relevant information; and
- (3) Establish positions and appropriate funds for the University of Hawaii, Department of Education, and public charter schools to carry out the purposes of this measure.

Your Committee received testimony in support of this measure from the University of Hawai'i System, State Public Charter School Commission, Stonewall Caucus of the Democratic Party of Hawaii, League of Women Voters of Hawaii, Planned Parenthood Alliance Advocates-Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Education, Hawai'i Civil Rights Commission, Hawaii Children's Action Network Speaks!, American Association of University Women of Hawaii, Hawaii Women's Coalition, Hawai'i State Democratic Women's Caucus, 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 H.B. No. 1775, 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. 876-22 Finance on H.B. No. 1939**

The purpose of this measure is to appropriate funds for two full-time equivalent positions in the Executive Office on Early Learning to enhance the capacity and resources of the Office.

Your Committee received testimony in support of this measure from Early Childhood Action Strategy, Hawaii Children's Action Network Speaks!, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Early Learning Board, and Executive Office on Early Learning.

As affirmed by the record of votes of 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. 1939, 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 (Branco).

**SCRep. 877-22 Finance on H.B. No. 1941**

The purpose of this measure is to require the Department of Education to establish a two-year Sustainable Community School Pilot Program to provide grants for the planning and implementation of community schools.

Your Committee received testimony in support of this measure from the University of Hawai'i Place-based Learning and Community Engagement in School Program, Hawai'i Afterschool Alliance, Early Childhood Action Strategy, Hawaii Children's Action Network Speaks!, Pacific American Foundation, Hawaii State Teachers Association, Democratic Party of Hawai'i Education Caucus, Susannah Wesley Community Center, Partners in Development Foundation, and two individuals. Your Committee received comments on this measure from the Department of Education, Special Education Advisory Council, and Hawai'i Association of School Psychologists.

As affirmed by the record of votes of 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. 1941, 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. 878-22 Finance on H.B. No. 1942**

The purpose of this measure is to require the Department of Education to establish a tiered student bus fare rate system to include free bus passes for students who qualify for free or reduced lunch under the Free and Reduced Price Lunch Program and appropriate funds for that purpose.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Education and 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. 1942, 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 (Branco).

**SCRep. 879-22 Finance on H.B. No. 1999**

The purpose of this measure is to appropriate funds to the Department of Human Services for the Preschool Open Doors Program.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education, Kamehameha Schools, Early Childhood Action Strategy, Parents and Children Together, and two individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Early Learning Board, Executive Office on Early Learning, and Hawaii Children's Action Network Speaks!.

As affirmed by the record of votes of 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. 1999, 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 (Branco).

**SCRep. 880-22 Finance on H.B. No. 2250**

The purpose of this measure is to:

- (1) Authorize the Department of Education to develop programs that encourage the development of gardens on school property; and
- (2) Broaden the authority of the Hawaii Community Development Authority to develop programs that provide incentives for the development of urban gardening programs.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority, Hawai'i Farm to School Hui, Hawai'i Farm Bureau, Center for Getting Things Started, Ka Ohana O Na Pua, 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. 2250, 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. 881-22 Finance on H.B. No. 2277**

The purpose of this measure is to appropriate funds to the Department of Education to promote and support surfing as an interscholastic sport.

Your Committee received testimony in support of this measure from the Outrigger Duke Kahanamoku Foundation and four individuals. Your Committee received comments on this measure from the Department of Education and 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. 2277, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 882-22 Finance on H.B. No. 2284**

The purpose of this measure is to address the shortfall of licensed teachers in public and charter schools, particularly in Hawaiian immersion and identified shortage area schools, by establishing and appropriating funds for the Hawaii Teacher Stipend Program and Hawaii Charter School Teacher Stipend Program, to provide stipends to students enrolled in a University of Hawai'i teacher program and who agree to teach in Hawai'i's public or charter schools for five years, with preference given for students who commit to teach in a Hawaiian immersion school.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; State Public Charter School Commission; University of Hawai'i at Hilo; Ka Haka 'Ula o Ke'elikōlani Hawaiian Language College at the University of Hawai'i at Hilo; Hawaii State Teachers Association; 'Aha Kauleo; Aloha 'Aina Legal Group, LLLC; Ke Kula 'O Nāwahīkalanī'ōpu'u Iki Lab Public Charter School; Kamehameha Schools; 'Aha Pūnana Leo; Hui



Makua o Pū'ōhala; and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, and University of Hawai'i at Mānoa College 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. 2284, 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. 883-22 Finance on H.B. No. 2345**

The purpose of this measure is to:

- (1) Authorize the acquisition of real property located in Ewa Beach on the island of Oahu to develop or facilitate the development of affordable housing, with a priority given to Department of Education classroom teachers at the beginning of their careers; and
- (2) Appropriate funds to the Hawaii Housing Finance and Development Corporation to purchase or otherwise acquire the real property.

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 Budget and Finance, Hawaii Housing Finance and Development Corporation, Hawaii State Teachers Association, 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. 2345, 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. 884-22 Finance on H.B. No. 2494**

The purpose of this measure is to appropriate funds to the Department of Education to increase access to civic education in Hawaii's public school system.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawaii State Teachers Association, Hawaii Youth Services Network, Common Cause Hawaii, Commission to Promote and Advance Civic Education, Hawai'i Alliance for Progressive Action, and ten individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, 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. 2494, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 885-22 Finance on H.B. No. 1497**

The purpose of this measure is to require and appropriate funds for the Division of Forestry and Wildlife of the Department of Land and Natural Resources to establish a two-year pilot program to remove invasive species such as albizia in and around Waiahole Stream on Oahu.

Your Committee received testimony in support of this measure from the Kahalu'u Neighborhood Board No. 29, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and 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. 1497, 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 (Holt, Todd).

**SCRep. 886-22 Finance on H.B. No. 1552**

The purpose of this measure is to clarify the composition of members of the Stadium Authority as added by Act 146, Session Laws of Hawaii 2021.

Your Committee received testimony in support of this measure from the Stadium Authority. 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. 1552, 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 (Branco).

**SCRep. 887-22 Finance on H.B. No. 1577**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the Kaho'olawe Island Reserve Commission and to fund two full-time equivalent permanent positions for the Commission.

Your Committee received testimony in support of this measure from the Kaho'olawe Island Reserve Commission, one member of the Maui County Council, Pacific American Foundation, Ke Kai O Kuloloi'a, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

As affirmed by the record of votes of 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. 1577, 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 (Holt).

**SCRep. 888-22 Finance on H.B. No. 1631**

The purpose of this measure is to provide a nonrefundable income tax credit for Hawaii homeowners who install and place into service a water catchment system that meets certain requirements.

Your Committee received testimony in support of this measure from the Honolulu Board of Water Supply and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of Land and Natural Resources, University of Hawai'i Sea Grant College Program, 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. 1631, 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 (Branco).

**SCRep. 889-22 Finance on H.B. No. 1653**

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

- (1) Establishing a tiered administrative fine system for each specimen of aquatic life taken, killed, or injured;
- (2) Establishing a criminal fine structure on a per-specimen basis for violations involving aquatic life;
- (3) Authorizing the Department of Land and Natural Resources to recommend community service that benefits the resource damaged when a person is ordered to perform community service in lieu of a fine; and
- (4) Authorizing the Department of Land and Natural Resources to recommend to the court probationary terms and conditions restricting defendants from entering specific geographical areas where aquatic resources may be found; fishing activities; and handling, operating, or possessing certain fishing gear or boating equipment.

Your Committee received testimony in support of this measure from Mālama Pūpūkae-Waimea and three individuals. Your Committee received testimony in opposition to this measure from the Ocean Tourism Coalition. Your Committee received comments on this measure from the Judiciary, Department of the Attorney General, and 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. 1653, 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 (Holt).

**SCRep. 890-22 Finance on H.B. No. 1656**

The purpose of this measure is to adequately address the Nā Ala Hele program's needs regarding the protection and expansion of public trail access statewide by appropriating funds to the Department of Land and Natural Resources for the establishment of one permanent full-time equivalent Land and Access Specialist position and one permanent full-time equivalent Abstractor position.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. 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. 1656, 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 (Holt).

**SCRep. 891-22 Finance on H.B. No. 1657**

The purpose of this measure is to require, as a condition precedent for any valid withdrawal of lands out of pasture leases for reforestation purposes, that the Division of Forestry and Wildlife of the Department of Land and Natural Resources submit a funded action plan detailing the planned reforestation process for those lands and that the withdrawal be approved by the Board of Land and Natural Resources.

Your Committee received testimony in opposition to this measure from Kapapala Ranch. Your Committee received comments on this measure from the Department of Land and Natural Resources; Hawai'i Farm Bureau; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Local Food 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. 1657, 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 (Holt).

**SCRep. 892-22 Finance on H.B. No. 1658**

The purpose of this measure is to authorize the Department of Agriculture, prior to any transfer of certain qualifying non-agricultural park lands, to request from the Department of Land and Natural Resources any information related to the establishment of necessary and reasonable easements upon the lands.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Local Food Coalition, and Ulupono Initiative. Your Committee received testimony in opposition to this measure from Kapapala Ranch. Your Committee received comments on this measure from the Department of Land and Natural Resources; Department of Agriculture; Land Use Research Foundation of Hawaii; Hawaii Cattlemen's Council, 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. 1658, 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 (Holt).

**SCRep. 893-22 Finance on H.B. No. 1659**

The purpose of this measure is to authorize the Board of Land and Natural Resources to:

- (1) Amend and extend existing pasture leases for up to sixty-five years;
- (2) Issue new pasture leases by negotiation, if the lands are already under pastoral use and the issuance of the leases furthers public purposes; and
- (3) Develop agricultural and pasture lease rents based on the value of the land's agricultural uses.

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 Kapapala Ranch. Your Committee received comments on this measure from the Department of Agriculture; Hawai'i Farm Bureau; Ulupono Initiative; Hawaii Cattlemen's Council, Inc.; Local Food 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. 1659, 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, Marten, Perruso, Tam, Wildberger). Noes, none. Excused, 1 (Holt).

**SCRep. 894-22 Finance on H.B. No. 1670**

The purpose of this measure is to establish a Boundary Review Committee within the Land Use Commission to promptly and efficiently resolve boundary disputes brought before the Land Use Commission.

Your Committee received testimony in support of this measure from the Land Use 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. 1670, 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 (Branco).

**SCRep. 895-22 Finance on H.B. No. 1669**

The purpose of this measure is to require the Office of Planning and Sustainable Development to establish a pilot project to develop an adaptation and resilience plan that addresses the climate change and sea level rise impacts in the Waikiki Special District.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i System, Honolulu Board of Water Supply, one member of the Maui County Council, Waikiki Beach Special Improvement District Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Planning and Sustainable Development.

As affirmed by the record of votes of 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. 1669, 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. 896-22 Finance on H.B. No. 2413**

The purpose of this measure is to require the Department of Land and Natural Resources to conduct a feasibility study on a revenue-generating and management system of user fees for Hawaii's state parks.

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 Hawai'i Reef and Ocean 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. 2413, 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 (Holt).

**SCRep. 897-22 Finance on H.B. No. 2417**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to review the final report of the House of Representatives' investigative committee established under House Resolution No. 164, Regular Session of 2021, for the purpose of:
  - (A) Conducting a policy analysis of the State's land lease policy; and
  - (B) Developing proposed legislation; and
- (2) Appropriate funds to the Department of Land and Natural Resources to conduct the policy analysis and implement the report's recommendations.

Your Committee received testimony in opposition to this measure from Kūpuna for the Mo'opuna. Your Committee received comments on this measure from the Department of Land and Natural Resources and 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. 2417, 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 (Branco).

**SCRep. 898-22 Finance on H.B. No. 1672**

The purpose of this measure is to broaden the counties' authority to create special improvement districts by expanding the objective of the special improvement districts to include environmental research, restoration, and maintenance; natural resource management; natural hazard mitigation; and climate change and sea level rise adaptation.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, University of Hawai'i Sea Grant College Program and Climate Resiliency Initiative, Waikiki Beach Special Improvement District Association, and two individuals. Your Committee received comments on this measure from the Hawai'i 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. 1672, 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 (Holt).

**SCRep. 899-22 Finance on H.B. No. 1712**

The purpose of this measure is to prohibit the siting of waste disposal facilities on agricultural lands with class A or B productivity ratings and important agricultural lands.

Your Committee received testimony in support of this measure from the Maui County Farm Bureau; Hawai'i Farm Bureau; Larry Jefts Farms, LLC; Ulupono Initiative; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc.; CropLife America; Biotechnology Innovation Organization; and four 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. 1712, 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 (Holt).

**SCRep. 900-22 Finance on H.B. No. 1769**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources to study and combat rapid ohia death in the State.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i Farm Bureau, Coordinating Group on Alien Pest Species, and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and 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. 1769, 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 (Holt).

**SCRep. 901-22 Finance on H.B. No. 1931**

The purpose of this measure is to appropriate funds for the establishment of one full-time equivalent Program Specialist position related to mosquito control in the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from The Nature Conservancy, Coordinating Group on Alien Pest Species, and five individuals. Your Committee received comments on this measure from the Department of Health, Department of Land and Natural Resources, and 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. 1931, 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 (Holt).

**SCRep. 902-22 Finance on H.B. No. 2196**

The purpose of this measure is to:

- (1) Establish a two-year Stream Maintenance Reimbursement Pilot Program within the Department of Land and Natural Resources to reimburse homeowners for the costs incurred by the homeowner for clearing debris in or around a stream within a certain distance of the homeowner's property and where there is potential imminent harm of a flood occurring to the homeowner's property due to the debris in or around the stream; and
- (2) Appropriate funds for the reimbursements to qualified homeowners for debris clearing under the Stream Maintenance Reimbursement Pilot 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 and 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. 2196, 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 (Holt).

**SCRep. 903-22 Finance on H.B. No. 2199**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources to:

- (1) Provide fingerlings and limu for the restoration and restocking of fishponds; and
- (2) Establish one full-time equivalent Aquaculture Coordinator Biologist VI position.

Your Committee received comments on this measure from the Department of Land and Natural Resources and 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. 2199, 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 (Holt).

**SCRep. 904-22 Finance on H.B. No. 2229**

The purpose of this measure is to:

- (1) Require the University of Hawaii to establish and implement a two-year program to study the impact of sandbag walls on sand movement patterns and coastal erosion and on certain public trust resources at Ehukai Beach Park on the North Shore of Oahu, including from the shoreline area near Ke Iki Road to Sunset Beach;
- (2) Require the University of Hawaii to submit a report of its study findings and recommendations to the Legislature prior to the Regular Session of 2025; and
- (3) Appropriate funds to the University of Hawaii for the study.

Your Committee received testimony in support of this measure from the University of Hawaii, Conservation Council for Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, Hawai'i Shore and Beach Preservation Association, 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. 2229, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (B. Kobayashi, Marten, Sayama, Tam, Wildberger). Noes, 1 (Perruso). Excused, 2 (Holt, Todd).

**SCRep. 905-22 Finance on H.B. No. 2276**

The purpose of this measure is to appropriate funds for the removal of albizia and other invasive trees that potentially threaten public roadways and utility infrastructure rights of way on public and private land; provided that the funds are matched on a two-to-one basis from public utilities sources.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaiian Electric, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 2276, 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 (Branco).

**SCRep. 906-22 Finance on H.B. No. 2288**

The purpose of this measure is to transfer the parcel of land designated as TMK (1) 3-2-030-002-0000-000 to the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Kupuna for the Mo'opuna. 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.

As affirmed by the record of votes of 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. 2288, 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, Perruso). Noes, none. Excused, 1 (Holt).

**SCRep. 907-22 Finance on H.B. No. 2332**

The purpose of this measure is to authorize the exemption for the granting of easements on public lands from formal subdivision process and approval requirements, including requirements for surveying and formalizing easements.

Your Committee received testimony in support of this measure from the Hawaii Aquaculture and Aquaponics Association and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture and 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. 2332, 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 (Holt).

**SCRep. 908-22 Finance on H.B. No. 426**

The purpose of this measure is to require the University of Hawaii System and its community colleges to waive tuition, subject to certain requirements, for any qualified student who demonstrates financial need and is a dependent child of:

- (1) A disabled veteran;
- (2) An eligible veteran or National Guard member who was killed in action; or
- (3) A Purple Heart medal recipient, alive or deceased, awarded in 2001 or later.

Your Committee received testimony in support of this measure from the Hawaii Military Affairs Council, Maui County Veterans Council, and five individuals. Your Committee received comments on this measure from the University of Hawai'i System and State Office of Veterans' Services.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 426, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Marten, Perruso). Noes, none. Excused, 1 (Holt).

**SCRep. 909-22 Finance on H.B. No. 2309**

The purpose of this measure is to appropriate funds to the Department of Public Safety, Judiciary, and Hawaii Paroling Authority for the development and maintenance of diversion, reentry, and rehabilitation services and programs by non-profit organizations within the State.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii Substance Abuse Coalition, Hawai'i Health & Harm Reduction Center, Women's Prison Project, American Civil Liberties Union of Hawai'i, Waikiki Health, Community Alliance on Prisons, and three individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Public Safety, and 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. 2309, 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 (Holt).

**SCRep. 910-22 Finance on H.B. No. 2312**

The purpose of this measure is to:

- (1) Statutorily establish within the Judiciary the Women's Corrections Implementation Commission to:
  - (A) Develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders from the criminal justice system;
  - (B) Ensure implementation of the recommendations from the final report to the Legislature of the Task Force on Prison Reform, formed pursuant to House Concurrent Resolution No. 85, Regular Session of 2016;
  - (C) Review existing local resources and programs focused on women in the justice system for their effectiveness and capacity for expansion; and
  - (D) Consider certain model programs; and
- (2) Appropriate funds to the Judiciary for the establishment of the Women's Corrections Implementation Commission.

Your Committee received testimony in support of this measure from the Judiciary, Hawai'i Health & Harm Reduction Center, and Women's Prison Project. Your Committee received comments on this measure from the Department of Budget and Finance and 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 H.B. No. 2312, 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 (Holt).

**SCRep. 911-22 Finance on H.B. No. 2171**

The purpose of this measure is to:

- (1) Establish a new Department of Law Enforcement to consolidate and administer certain law enforcement functions;
- (2) Rename the Department of Public Safety as the Department of Corrections and Rehabilitation;
- (3) Establish a training center within the Department of Law Enforcement;
- (4) Transfer employees, appropriations, records, equipment, documents, and other materials, as appropriate, to the respective departments; and
- (5) Establish positions and appropriate funds for the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committee received testimony in support of this measure from the Homeland Security Investigations unit of the United States Department of Homeland Security; Department of the Attorney General; Department of Public Safety; Department of Defense; Department of Transportation; Hawaii Office of Homeland Security; Hawaii Paroling Authority; Department of the Prosecuting Attorney of the City and County of Honolulu; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; 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 Budget and Finance; Office of Information Practices; 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. 2171, 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. 912-22 Finance on H.B. No. 1682**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Next Level Solutions Group Inc., in developing a waste-to-energy facility.

Your Committee received testimony in support of this measure from Next Level Solutions Group Inc.; and three individuals. 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. 1682, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 15; Ayes with Reservations (Tam). Noes, none. Excused, none.

**SCRep. 913-22 Finance on H.B. No. 2256**

The purpose of this measure is to:

- (1) Establish a Department of Environmental Protection on July 1, 2026;
- (2) Create a Department of Environmental Protection Working Group to address the logistics required for the State to establish a Department of Environmental Protection; and

- (3) Require the Department of Environmental Protection Working Group to submit a report to the Legislature prior to the convening of the Regular Session of 2025.

Your Committee received testimony in support of this measure from the Environmental Advisory Council, Climate Protectors Hawai'i, and Environmental Caucus of the Democratic Party of Hawai'i. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Health, Hawaii State Energy Office, Office of Planning and Sustainable Development, and Honolulu Board of Water Supply.

As affirmed by the record of votes of 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. 2256, 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. 914-22 Finance on H.B. No. 1748**

The purpose of this measure is to authorize the issuance of general obligation bonds and appropriate funds for low-income rental housing projects or units that are allocated low-income housing tax credits and developed for families and individuals who meet certain eligibility requirements.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Catholic Charities Hawai'i, Hawai'i Health & Harm Reduction Center, Partners in Care, and Highridge Costa Development Company.

As affirmed by the record of votes of 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. 1748, 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. 915-22 Finance on H.B. No. 2233**

The purpose of this measure is to authorize and appropriate funds for the Department of Human Services to provide eligible households receiving benefits under the Temporary Assistance for Needy Families Program or Temporary Assistance for Other Needy Families Program with housing assistance subsidies during their participation in the First-to-Work Program.

Your Committee received testimony in support of this measure from Hawaii Children's Action Network Speaks!, Hawai'i Health & Harm Reduction Center, Catholic Charities Hawai'i, Zonta Club of Hilo, Partners in Care, Community Alliance Partners, HOPE Services Hawaii, LGF Consulting Hawaii, Hawai'i Applesseed Center for Law & Economic Justice, Na Kahua Hale O Ulu Wini, and five individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, 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. 2233, 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. 916-22 Finance on H.B. No. 2243**

The purpose of this measure is to ensure the proper maintenance of residential condominium buildings and structures by:

- (1) Requiring that buildings and structures be maintained in a safe and sanitary condition;
- (2) Requiring devices and safeguards to be maintained in conformance with county building codes;
- (3) Requiring condominium associations or their designated agents to be responsible for the maintenance of the buildings and structures; and
- (4) Authorizing county building officials to require a building or structure to be reinspected.

Your Committee received testimony in support of this measure from the Hawaii Insurers Council. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Palehua Townhouse Association, Community Associations Institute, 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. 2243, 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. 917-22 Consumer Protection & Commerce on H.B. No. 1689**

The purpose of this measure is to:

- (1) Require shippers with knowledge that their cargo includes fireworks or articles pyrotechnic to report certain information to applicable county fire departments; and
- (2) Authorize county fire departments to enter shippers' vessels for the purpose of inspecting any shipment declared on the shipping manifest as fireworks or articles pyrotechnic.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Fire Department, Honolulu Fire Department, Pearl City Neighborhood Board No. 21, Hawaiian Humane Society, Animal Rights Hawai'i, Aloha Animal Advocates, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Matson Navigation Company, Inc.

Your Committee finds that the igniting of fireworks and articles pyrotechnics in violation of the Fireworks Control Law has been and continues to be an issue in communities throughout the State. The ignition of fireworks and articles pyrotechnics pose various health, safety, and property risks, including potential fire damage to homes, fire and explosion-related injuries, respiratory distress caused by the air pollution, and retraumatizing persons with the loud explosions.

Your Committee further finds that further mechanisms are necessary to enforce the Fireworks Control Law. This measure will empower counties in their enforcement by increasing their ability to scrutinize the multimodal transportation of fireworks. As this measure advances through the legislative process, your Committee believes that consideration should be given to using the point of delivery as the point of inspection, as the point of delivery may be the more optimal opportunity for inspections of vessels.

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. 1689, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 918-22 Consumer Protection & Commerce on H.B. No. 2141**

The purpose of this measure is to delete or revise outdated or obsolete reporting requirements of the Department of Human Services and Office of Youth Services.

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

Your Committee finds that under existing law the Department of Human Services (DHS) is required to submit several reports to the Legislature that are no longer necessary. Currently, DHS is required to report on brand-name and generic psychotropic prescriptions and the amount expended on each. Since the enactment of this reporting requirement, DHS has reported a positive trend to maintain access to psychotropic medications and explore cost savings through use of generic brands. The information contained in the report is not used for decision-making or any other purpose and thus, the reporting requirement is unnecessary.

Your Committee further finds that DHS is required to report on the adequacy of the assistance allowance as provided under chapter 346, Hawaii Revised Statutes. This requirement was last updated in 1998; since that time, there have been substantial changes to federal financial assistance and health care programs, which renders the information requested no longer relevant to determine the adequacy of the assistance allowance.

Lastly, pursuant to Act 281, Session Laws of Hawaii 2006 (Act 281), the Office of Youth Services, which is within the DHS for administrative purposes, is required to submit a report with respect to programs established under Act 281. However, those programs are no longer funded. This measure eliminates these obsolete and unnecessary reports to the Legislature required of the DHS, which will clarify existing law, reduce the administrative burden on DHS, and increase efficiencies.

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. 2141, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 919-22 Water & Land/Judiciary & Hawaiian Affairs/Finance on H.B. No. 2024**

The purpose of this measure is to implement recommendations of the Mauna Kea Working Group established on March 4, 2021, through the adoption of House Resolution No. 33, H.D. 1, during the Regular Session of 2021 by:

- (1) Establishing the Mauna Kea Stewardship Authority (Authority) as the sole authority for management of state-managed lands on Mauna Kea;
- (2) Requiring the Authority to develop a single plan that dictates the management of land uses; human activities, uses, and access; stewardship; education; research; disposition; and overall operations;
- (3) Requiring the Authority to develop a framework to limit astronomy development on Mauna Kea;
- (4) Requiring the Authority to prohibit certain commercial use and activities on Mauna Kea;
- (5) Requiring an application and fee for all recreational users of Mauna Kea; and
- (6) Appropriating funds for startup costs of the Authority.

Your Committees received testimony in support of this measure from Kamehameha Schools, Council for Native Hawaiian Advancement, Protect Kaho'olawe 'Ohana, Hilo Hawaiian Civic Club, Waimea Hawaiian Civic Club, Hawai'i Alliance for Progressive Action, Hui Mauli Ola, Save Our Sherwoods, 'Ahaui o nā Kauka, Aha Kane, Kanaeokana, Protect Pololu Project, Puakalehua Early Learning Consortium, and numerous individuals. Your Committees received testimony in opposition to this measure from the Department of Land and Natural Resources; University of Hawai'i System; University of Hawai'i Board of Regents; Hawai'i Island Chamber of Commerce; Kona-Kohala Chamber of Commerce; Imua TMT; Environmental Caucus of the Democratic Party of Hawai'i; Hawaii Forest and Trail; Taikobo Hawaii, Inc.; Hawaiian Eyes Tour; KAHEA: The Hawaiian-Environmental Alliance; Mauna Kea Moku Nui 'Aelike/Consensus Building 'Ohana; Ka Ohana O Na Pua; Hawaii Island Economic Development Board; Hawaii Leeward Planning Conference; 'Ai Noa Foundation; Wahine Apapalani; Na Koa Ikaika Ka Lahui Hawaii; Arnott's Lodge; Kundalini of Kona Inc.; Center for Hawaiian Sovereignty Studies; and numerous individuals. Your Committees received comments on this measure from the Office of Hawaiian Affairs, Department of the Attorney General, Department of Budget and Finance, Maunakea Observatories, and Super Vacation Hawaii.

Your Committees find that Mauna a Wākea, particularly its summit region, is a special place of significance to the people of Hawaii that consists of fragile habitats, contains historical and archaeological artifacts, and holds cultural and spiritual importance. Due to its topographical prominence, Mauna a Wākea is also a highly valued site for world-class astronomical study, producing many significant discoveries that contribute to humanity's study and understanding of the universe. However, in recent years, Mauna a Wākea has become a symbol of division, polarization, and distrust between stakeholders on Mauna a Wākea and many in the surrounding communities. Therefore, resolving the management issues of Mauna a Wākea is an issue of the highest priority in the State.

Your Committees further find that the University of Hawaii has been responsible for the management of Mauna a Wākea since 1968 and that the 2.2-meter telescope, the first large telescope constructed on Mauna a Wākea, began operations in 1970. Despite improvements in the management of Mauna a Wākea by the University and Department of Land and Natural Resources since a 1998 audit found significant managerial deficiencies, the perception by many that Mauna a Wākea was being managed without sufficient, genuine consultation with the Native Hawaiian community had the cumulative effect of degrading trust between state managers and some Native Hawaiian communities. Your Committees find that this measure is intended to be a step toward changing the status quo and restoring trust and balance in stewardship of Mauna a Wākea.

Your Committees have amended this measure by:

- (1) Changing references from "Mauna Kea" to "Mauna a Wākea" throughout the measure;
- (2) Adding the four Kumu Kānāwai, or laws of nature, to its preamble;



- (3) Placing the Authority within the Department of Land and Natural Resources, instead of attaching it to the Office of the Chairperson of the Board of Land and Natural Resources, for administrative purposes;
- (4) Changing a member of the Authority from the Chief Executive Officer of the Office of Hawaiian Affairs, or the Chief Executive Officer's designee, to the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs, or the Chairperson's designee;
- (5) Adding the President of the University of Hawaii, or the President's designee, as a member of the Authority;
- (6) Removing all references to the sale of Mauna a Wākea lands;
- (7) Amending the requirement that the Authority protect native Hawaiian rights to instead protect traditional and customary native Hawaiian rights, as set forth in the Hawaii State Constitution, and not unduly burden individuals exercising such rights;
- (8) Clarifying that in establishing a framework to limit astronomy development on Mauna a Wākea, the Authority is required to establish a plan to return the mauna above the 9,200-foot elevation line to its natural state when ground-based observatories are rendered obsolete due to developments in space-based astronomical technology;
- (9) Allowing, rather than requiring, the Authority to prohibit commercial use and activities, except for astronomy use and activities, above Hale Pōhaku;
- (10) Clarifying that the Department of Land and Natural Resources is required to transfer to the Authority the title to the Mauna a Wākea lands under the Authority's jurisdiction, together with all existing encumbrances;
- (11) Clarifying that the Authority is required to consider various supplemental revenue sources to be deposited into the Mauna a Wākea Management Special Fund, to the extent allowed by law;
- (12) Specifying that lands under the jurisdiction of the Authority to which the Authority holds title are not deemed "public lands" as defined in section 171-2, Hawaii Revised Statutes;
- (13) Establishing various protections for Mauna a Wākea lands, including:
  - (A) Extensive lease requirements and safeguards, including restrictions against alienation; adequate protection of forests, watershed areas, game management areas, wildlife sanctuaries, and public hunting areas, reservation of rights-of-way and access to other public lands, public hunting areas, game management areas, or public beaches; and prevention of nuisance and waste;
  - (B) Prohibiting lease renewal options;
  - (C) Restricting leases to sixty-five years;
  - (D) Prohibiting the transfer or assignment of leases, except by devise, bequest, or intestate succession, without the approval of the Authority;
  - (E) Requiring the approval of the Authority for subleases;
  - (F) Requiring lands to which the Authority holds title to be disposed of by public auction, with limited exceptions, including for leases to eleemosynary organizations, state and federal agencies, and foreign governments;
  - (G) Prohibiting lands to which the Authority holds title from being leased for a sum less than the value fixed by appraisal, with limited exceptions;
  - (H) In issuing new or renegotiated leases for astronomical observatories, requiring the Authority to adopt rules to establish additional lease requirements; and
  - (I) Requiring the Authority to retain rights to "prehistoric and historic remains" in leases of lands to which it holds title;
- (14) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (15) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees find that on January 30, 2022, the University of Hawaii Economic Research Organization (UHERO) released an updated report on the economic impact of astronomy in Hawaii, which revealed that the industry's direct and indirect economic impact in 2019 totaled \$221,000,000. Moreover, 1,313 jobs in the State and 611 jobs on Hawaii island alone are directly tied to the astronomy sector. The UHERO report indicated that astronomy is one of the top five economic activities in the State. In addition, your Committees note that astronomy is a permitted use in the state conservation district. As astronomy is such a significant economic driver for the State and Hawaii island, not to mention its role in furthering learning and scientific observation, your Committees believe that consideration should be given to, and discussion should continue regarding, adding a representative of the Maunakea Observatories to the Authority.

As affirmed by the records of votes of the members of your Committees on Water & Land, Judiciary & Hawaiian Affairs, and Finance that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2024, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 2024, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 7; Ayes with Reservations (Branco, B. Kobayashi, Kong). Noes, none. Excused, 1 (McDermott).

Judiciary & Hawaiian Affairs: Ayes, 7; Ayes with Reservations (Lowen, McKelvey). Noes, 3 (D. Kobayashi, LoPresti, Ward). Excused, 1 (Takumi).

Finance: Ayes, 14; Ayes with Reservations (Branco, Holt, B. Kobayashi, Perruso, Sayama, Wildberger). Noes, none. Excused, 1 (Nishimoto).

#### SCRep. 920-22 Corrections, Military, & Veterans on H.B. No. 2119

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Defense and Hawai'i Emergency Management Agency. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

Your Committee finds that this measure codifies the terms under which the Governor may enter into a compact on behalf of the State with any other state, the Commonwealth of Puerto Rico, the District of Columbia, and any United States territorial possession for the rendering or receipt of emergency management assistance. According to the Department of Defense, this measure supports the logical alignment of the Hawaii Emergency Management Agency with best emergency management practices across the country, and moving these terms and provisions into the emergency management series in the Hawaii Revised Statutes will provide for the concise, logical organization of the emergency management laws of the State.

Your Committee has amended this measure by:

- (1) Clarifying that for the State of Hawaii, the adjutant general is the legally designated state official with assigned responsibility for emergency management under the compact and the authorized representative of the State who may request assistance of another party 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2119, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2119, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 921-22 Consumer Protection & Commerce on H.B. No. 2274**

The purpose of this measure is to:

- (1) Prohibit the Department of Health from issuing permits for new large capacity underground storage tank systems located mauka of the applicable underground injection control line, except for purposes of repairing or replacing existing tanks; and
- (2) Beginning January 1, 2045, prohibit the operation of and renewal of permits for all large capacity underground storage tank systems located mauka of the applicable underground injection control line.

Your Committee received testimony in support of this measure from the Department of Health; Department of Land and Natural Resources; Hawaii State Teachers Association; Surfrider Foundation, Hawai'i Region; Protect Kaho'olawe 'Ohana; Sierra Club of Hawai'i; Hawai'i Alliance for Community-Based Economic Development; 350Hawaii.org; Aloha 'Āina Legal Group, LLC; 'Ahahui o nā Kauka; Our Revolution Hawaii; Hawai'i Alliance for Progressive Action; Livable Hawaii Kai Hui; Environmental Caucus of the Democratic Party of Hawai'i; Environmental Justice Task Force of Faith Action for Community Equity; and numerous individuals. Your Committee received testimony in opposition to this measure from the Honolulu Board of Water Supply. Your Committee received comments on this measure from the Office of Planning and Sustainable Development.

Your Committee finds that water is a finite and irreplaceable resource that is fundamental to human well-being and is only renewable if well managed. Your Committee further finds that access to clean and safe drinking water is vital for the State's climate resilience and sustainability. One of the most significant threats to the State's drinking water is large capacity underground storage tank systems and their related plumbing components leaking and contaminating potable drinking water aquifers. This measure reduces the risks posed by large capacity underground storage tank systems on the State's drinking water by phasing out permits for and operations of these systems.

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. 2274, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2274, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Tarnas). Noes, none. Excused, none.

**SCRep. 922-22 Consumer Protection & Commerce on H.B. No. 1894**

The purpose of this measure is to accommodate the use of traditional Native Hawaiian burial practices and environmentally-friendly burial practices by including water cremation in the treatment and disposal of human remains.

Your Committee received testimony in support of this measure from the Willard Body Program of the John A. Burns School of Medicine at the University of Hawaii at Manoa; Fisher and Associates, LLC; Aloha Mortuary; Ken Ordenstein Funerals; and thirteen individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Health, and Hawaii Funeral and Cemetery Association, Inc.

Your Committee finds that the interest in traditional Native Hawaiian practices for burials has increased among Native Hawaiians and non-Native Hawaiians. Traditional Native Hawaiian burials include certain practices for treatment of human remains, which involve reducing remains to skeletal components and interring the iwi, or bones, in a kapa or lauhala container. In addition, your Committee finds that a process called water cremation, technically known as alkaline hydrolysis, provides an alternative to the traditional, flame-based cremation through the use of alkaline chemicals, heat, agitation, and pressure to gently accelerate natural decomposition. This measure accommodates the use of traditional Native Hawaiian burial practices and the burial practice of water cremation to provide greater options for persons to memorialize the deceased.

Your Committee has amended this measure by:

- (1) Clarifying that commercial hydrolysis facilities are to be subject to the requirements for funeral establishments and mortuaries, rather than subjecting hydrolysis facilities to licensure by the Department of Health;
- (2) Clarifying the wastewater discharge requirements applicable to hydrolysis facilities; 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1894, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1894, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

**SCRep. 923-22 Consumer Protection & Commerce on H.B. No. 2405**

The purpose of this measure is to:

- (1) Permit health insurance companies, mutual benefit societies, and health maintenance organizations to consider services related to gender transition treatments medically necessary if a health insurance policy covers those services for purposes other than gender transition; and
- (2) Require health insurance companies, mutual benefit societies, and health maintenance organizations to provide applicants and health insurance policy holders with clear information on the policy's 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 North Shore Ko'olau Diversity Collective, Northwest Society of Plastic Surgeons, American Society of Plastic Surgeons, Hawai'i Public Health Institute, Hawai'i Health and Harm Reduction Center, Stonewall Caucus of the Democratic Party

of Hawaii, Rainbow Family 808, AF3IRM Hawai'i, 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, Department of Health, Hawaii Employer-Union Health Benefits Trust Fund Board of Trustees, Kaiser Permanente Hawai'i, and Hawaii Association of Health Plans.

Your Committee finds that the State, through the enactment of Act 135, Session Laws of Hawaii 2016 (Act 135), prohibited the denial, exclusion, or limitation of health care services or treatment to a person on the basis of a person's actual gender identity or perceived gender identity. Despite Act 135, transgender community members continue to be denied medically necessary and life-saving procedures. This denial is levied even as there is an overwhelming and growing consensus among major medical organizations that transition-related health care services to alleviate gender dysphoria are medically necessary and should be fully covered by patients' insurance. This measure clarifies and ensures that transgender community members receive the care they need and are not categorically excluded.

Your Committee has amended this measure by:

- (1) Naming the measure the Gender Affirming Treatment Act;
- (2) Prohibiting a health carrier from applying categorical cosmetic or blanket exclusions to gender affirming treatments;
- (3) Prohibiting health carriers from categorically excluding gender affirming treatments as cosmetic services when those treatments are prescribed as medically necessary, rather than specifying that all health care services related to gender transition treatments may be considered medically necessary and not cosmetic;
- (4) Specifying that the laws prohibiting health insurance companies, mutual benefit societies, and health maintenance organizations from discriminating on the basis of actual gender identity or perceived gender identity are not to be construed to mandate coverage of a service that is not medically necessary; 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. 2405, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2405, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

#### **SCRep. 924-22 Consumer Protection & Commerce on H.B. No. 2340**

The purpose of this measure is to allow the use of a post office box for purposes of prescription delivery so long as the pharmacy dispensing the prescription has the physical location where an individual resides on file.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawai'i and one individual. Your Committee received comments on this measure from the Board of Pharmacy.

Your Committee finds that the high volume of prescriptions necessitates a closer examination of ways to improve efficiencies while ensuring patient and public safety. Under existing law, if a controlled substance prescription has a post office box address, pharmacists are required to verify a patient's identification, note the identification number on the prescription, and change the address to a physical location, such as a street address, tax map key, or description of the physical location. This measure eliminates these steps only if the physical address is on file, which will reduce the administrative burden on pharmacists while still maintaining safety and effective chain of custody of controlled substances.

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. 2340, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2340, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

#### **SCRep. 925-22 Consumer Protection & Commerce on H.B. No. 1991**

The purpose of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported as stolen and listen on a publicly available online stolen item database; and
- (2) Require the police department in counties with a population of five hundred thousand or more to establish the publicly available online stolen item database.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Gold and Silver Company, Hawaii Pawnbrokers Association, Kamaaina Loan, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that bicycles are a popular form of alternative transportation. Bicycles are used as a means of reducing an individual's transportation expenses, saving an individual the costs of public transportation or costs associated with owning a motor vehicle. Bicycles are also used as a means of reducing an individual's carbon footprint.

Your Committee further finds that bicycle thefts significantly detract from these benefits, including imposing great financial burdens on individuals who must find replacement transportation. This measure seeks to directly address the issue of stolen bicycle resales by prohibiting the sale of bicycles reported as stolen and listed on a publicly available online stolen item database, which could be used by law enforcement to help recover stolen items and potentially prevent property theft.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the Honolulu Police Department and Hawaii Pawnbrokers Association reached an agreeable solution, submitted in their written testimony to your Committee, with regard to the recordkeeping and retention requirements that appeared in this measure as introduced. Your Committee

appreciates the collaboration between the stakeholders to find an agreeable solution and believes that this consensus language should be given further consideration as this measure advances through the legislative process.

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. 1991, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1991, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Kong).

#### **SCRep. 926-22 Consumer Protection & Commerce on H.B. No. 2007**

The purpose of this measure is to amend the cash or protest bond amount for parties initiating administrative proceedings for review of certain procurement protest decisions.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii. Your Committee received testimony in opposition to this measure from the Department of Transportation and Airlines Committee of Hawaii. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that Act 224, Session Laws of Hawaii 2021, increased the necessary cash or protest bond amount for parties initiating an administrative proceeding for review of certain procurement protest decisions to one percent of the estimated value of the contract, with the intent to prevent the filing of frivolous appeals. However, according to testimony received by your Committee from the State Procurement Office, this one percent cash or protest bond amount did not deter vendors from filing protests with the Office of Administrative Hearings; rather, the number of protest filings increased. Your Committee further finds that other states that require cash or protest bonds without a cap have certain safeguard language used for appeals to prevent the chilling effect of deterring legitimate protests on large projects.

Your Committee has heard the concerns raised in testimony and acknowledges that this measure remains a work in progress. Your Committee is interested in finding the right balance between discouraging frivolous protests while also ensuring that legitimate appeal rights are protected.

Your Committee has amended this measure by:

- (1) Reinstating the statutory one percent cash or protest bond amount, rather than changing the required cash or protest bond amount to an unspecified dollar amount based on the estimated value of the contract; and
- (2) Requiring that the cash or protest bond be returned to the initiating party, minus any administrative costs, except in cases where the Office of Administrative Hearings determines the appeal to be frivolous or in bad faith.

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. 2007, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2007, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har). Noes, none. Excused, 1 (Kong).

#### **SCRep. 927-22 Consumer Protection & Commerce on H.B. No. 1681**

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 insurance requirements for transportation network companies and transportation network company drivers.

Your Committee received testimony in support of this measure from the Department of Transportation; Uber Technologies, Inc.; Hawaii Insurers Council; GEICO; and Lyft. Your Committee received comments on this measure from the Hawaii Transportation Association.

Your Committee finds that a passenger uses a transportation network company's digital network or software application service to request transportation to a destination. Once the prearranged ride is set by the passenger, the transportation network company connects the passenger with a transportation network company driver to fulfill the prearranged ride using the driver's personal motor vehicle.

Your Committee further finds that statewide regulation of transportation network companies is needed to ensure the safety, reliability, and cost-effectiveness of rides provided by transportation network company drivers. This measure ensures that residents and visitors have enhanced access to important transportation options, while also ensuring uniform consumer protection throughout the State.

Your Committee also finds that Act 236, Session Laws of Hawaii 2016 (Act 236), established insurance requirements for transportation network companies and transportation network company drivers to ensure the protection of passengers and third parties. These insurance requirements are set to expire on September 1, 2023. Your Committee finds that Act 236 is accomplishing its intended goal and the insurance requirements should be made permanent.

Your Committee has amended this measure by:

- (1) Deleting the requirement that an applicant to become a transportation network company driver submit a copy of the applicant's general excise tax license;
- (2) Clarifying the offenses that would disqualify an individual from acting as a transportation network company driver;
- (3) Adding ancestry and gender expression as protected classes within the transportation network company's required non-discrimination policy;
- (4) Providing the Department of Transportation with the authority to adopt rules to regulate transportation network companies; 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. 1681, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1681, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

**SCRep. 928-22 Consumer Protection & Commerce on H.B. No. 1411**

The purpose of this measure is to:

- (1) Require that the transferee's and transferor's addresses be provided on the certificate of ownership when the title to a motor vehicle is transferred;
- (2) Clarify that the signature of the transferee and signature of the transferor each serve as an attestation by that respective party as to the validity of the information on the certificate of ownership; and
- (3) Subject a party to penalties for providing false or fraudulent information.

Your Committee received testimony in support of this measure from the Department of Environmental Management of the County of Hawai'i; Department of Finance of the County of Kaua'i; Kauai Police Department; Hawaii Council of Mayors; Nanawale Community Association, Inc.; and ten individuals.

Your Committee finds that abandoned vehicles on public streets create widespread environmental issues and unsafe and unhealthy conditions for residents of the State. Your Committee further finds that the prevalent issue of abandoned vehicles is exacerbated by fraud occurring in the vehicle title transfer process, which creates difficulty in locating the proper owners of abandoned vehicles. This measure is intended to reduce the amount of fraud in the vehicle title transfer process, which will remedy a primary contributor to the prevalent issue of abandoned vehicles facing all of the counties.

Your Committee has amended this measure by:

- (1) Clarifying that a person who provides false or fraudulent information is subject to a fine of no less than \$5 and no more than \$1,000; and
- (2) Making technical, 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. 1411, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1411, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Aquino).

**SCRep. 929-22 Consumer Protection & Commerce on H.B. No. 1642**

The purpose of this measure is to require deposit beverage distributors that sell, offer for sale, or distribute deposit beverage containers in the State to meet minimum postconsumer recycled content requirements.

Your Committee received testimony in support of this measure from the Department of Health, one member of the Hawai'i County Council, County of Hawai'i Department of Environmental Management, and one individual. Your Committee received testimony in opposition to this measure from the International Bottled Water Association, American Beverage Association, and Hawaii Food Industry Association. Your Committee received comments on this measure from the American Chemistry Council.

Your Committee finds that plastic waste is harmful to human health and the environment. Your Committee further finds that mechanisms must be considered to reduce plastic waste. This measure, by mandating minimum postconsumer recycled content, will help to reduce plastic waste and greenhouse gas emissions.

Your Committee notes the concerns regarding potential supply chain issues, as well as other cost issues, that may be inherent with this measure. Your Committee understands these concerns and believes further discussion on these issues may be warranted.

Your Committee has amended this measure by clarifying that the minimum postconsumer recycled content requirements may be calculated by weight or another metric as determined by the Department of Health.

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. 1642, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1642, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Har, Kong, Morikawa, Onishi, Matsumoto). Noes, none. Excused, 1 (Aquino).

**SCRep. 930-22 Consumer Protection & Commerce on H.B. No. 1988**

The purpose of this measure is to prohibit the sale, import, or export of coral products in Hawaii, with certain exceptions.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual. Your Committee 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; Rights of Nature Hawai'i; Big Island Reef Keepers Hui; Center for Biological Diversity; Surfrider Foundation, Hawai'i Region; Friends of Hanauma Bay; Hawai'i Reef and Ocean Coalition; For the Fishes; and two individuals.

Your Committee finds that coral reefs form a vital part of the marine ecosystem of Hawaii. This measure will provide coral reefs greater protection by banning the sale, import, or export of coral products 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1988, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1988, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

**SCRep. 931-22 Consumer Protection & Commerce on H.B. No. 1478**

The purpose of this measure is to require:

- (1) A property owner of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm in the residential real property is in accordance with existing building or residential codes based on information provided by the State Fire Council; and
- (2) The State Fire Council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing state or county building or residential codes and post the informational guide on the State Fire Council's website and each county fire department's website.

Your Committee received testimony in support of this measure from the State Fire Council, Hawaii Fire Department, Honolulu Fire Department, and one individual. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual. Your Committee received comments on this measure from the Legislative Action Committee of the Community Associations Institute, Hawaii Chapter.

Your Committee finds that smoke alarms, when properly installed and maintained, provide early warning of a potentially deadly fire and can reduce the risk of dying from a fire. Smoke alarms also play a vital role in reducing fire deaths and injuries. This measure will ensure buyers have important safety information regarding their potential home purchases and may increase the likelihood that smoke alarms will be updated prior to a sale of residential property.

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. 1478, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1478, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

#### **SCRep. 932-22 Consumer Protection & Commerce on H.B. No. 2280**

The purpose of this measure is to prohibit planned community associations from prohibiting or unreasonably restricting the use of a member's enclosed yard for personal agriculture.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from the Community Associations Institute Legislative Action Committee and one individual.

Your Committee finds that providing latitude to members of a planned community association to use their enclosed yards for personal agriculture can promote good health, improve the local environment, and improve neighborhood spaces.

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. 2280, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2280, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Kong, Tarnas).

#### **SCRep. 933-22 Consumer Protection & Commerce on H.B. No. 2028**

The purpose of this measure is to:

- (1) Authorize milk producers to sell raw milk and raw milk products directly to consumers for human consumption, subject to certain conditions; and
- (2) Authorize the sale of raw goat milk for pet consumption, subject to certain conditions.

Your Committee received testimony in support of this measure from The Public Pet; Maka'ala Country Farms, LLC; Lystn, LLC; The Pet Depot; The Doggy Kitchen; Next Generation Pet Food Manufacturers Association; and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture, Department of Health, Hawai'i Farm Bureau, Meadow Gold Dairies Hawaii LLC, Hawaii Food Industry Association, and one individual.

Your Committee finds that raw milk is milk that has not undergone the process of pasteurization, which is the process by which milk is mildly heated. Your Committee further finds that there is a consumer demand for raw milk due to its taste and health benefits. However, under existing administrative rules, milk is only available to the public if it has undergone the process of pasteurization. Your Committee notes that goat milk is similarly prohibited unless it has undergone the process of pasteurization. This measure is intended to provide consumers and their pets with choices for beverage consumption.

However, your Committee has heard the concerns raised in testimony regarding the safety risks associated with the consumption of raw milk and raw milk products. Your Committee understands these concerns and believes this issue warrants further deliberation as this measure 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2028, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2028, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, 4 (Har, Kong, Onishi, Tarnas). Excused, none.

#### **SCRep. 934-22 Judiciary & Hawaiian Affairs on H.B. No. 1787**

The purpose of this measure is to:

- (1) Establish Employment First as a policy of the State and the counties with respect to persons with disabilities;
- (2) Require state and county agencies to implement this policy in hiring and all programs and services administered or funded by the State or counties; and
- (3) Apply Employee First principles to Medicaid home- and community-based services waiver programs.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, Hawaii Self Advocacy Advisory Council, and two individuals. Your Committee received comments on this measure from the Department of Human Services and Department of Labor and Industrial Relations.

Your Committee finds that persons with intellectual and developmental disabilities comprise an underutilized population of potential employees who are proven to be a positive part of the workplace. Your Committee further finds that Employment First is a framework for systems change that is centered on the premise that all citizens are capable of full participation in integrated employment and community life. Establishing Employment First as a state policy would

support the inclusion of individuals with intellectual and developmental disabilities in the workplace and recognize the contributions they make to the community and in the work environment.

Your Committee has amended this measure by:

- (1) Deleting language that required the Department of Human Services to ensure that contracted agency providers that provide services for Medicaid home- and community-based services waiver programs follow Employment First principles; and
- (2) Making technical, 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. 1787, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1787, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 2 (LoPresti, McKelvey).

#### **SCRep. 935-22 Judiciary & Hawaiian Affairs on H.B. No. 2440**

The purpose of this measure is to:

- (1) Impose penalties on both the person and firm for violations of state law governing wages and hours of employees on public works; and
- (2) Define "person" and "firm" for these purposes.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i State AFL-CIO; Hawaii Operating Engineers Local Union No. 3; Hawaii Nurses' Association-OPEIU Local 50; United Public Workers, AFSCME Local 646, AFL-CIO; and Pride at Work - Hawai'i. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that when firms violate Chapter 104, Hawaii Revised Statutes, the Wages and Hours of Employees on Public Works Law, these actions not only harm the employees who perform their duties but the actions also detract from the intent of the law, which is to protect the standards of workers on state and county public works construction projects and ensure the payment of prevailing wages and overtime to laborers and mechanics working on projects. This measure would impose progressively increasing penalties on both the person and the firm for repeat violations of the state law, thereby ensuring compliance with the law.

Your Committee has amended this measure by:

- (1) Deleting the definition of "firm";
- (2) Amending the definition of "person" to include a sole proprietor and the responsible managing employee and holder of the construction license as provided under chapter 444, Hawaii Revised Statutes; 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. 2440, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2440, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 936-22 Judiciary & Hawaiian Affairs on H.B. No. 1486**

The purpose of this measure is to add theft of a motor vehicle, motorcycle, or moped to the offense of theft in the first degree.

Your Committee received testimony in support of this measure from the Office of the Prosecuting Attorney of the County of Hawai'i, Honolulu Police Department, and ten individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that motor vehicles are an essential part of daily life. For many, it is a very costly investment and oftentimes the second largest investment a person can make aside from housing costs. Losing a motor vehicle to theft can cause immense financial hardship and inconvenience to a person by negatively impacting the person's ability to get to work or school and curtailing their personal and everyday activities. This measure recognizes the significant financial, social, and personal costs of motor vehicle theft.

Your Committee has amended this measure by deleting the inclusion of mopeds under the offense of theft in the first degree.

Your Committee suggests that further consideration be given to imposing a lesser penalty for theft of a motor vehicle or motorcycle, such as a class C felony regardless of the value of the motor vehicle or motorcycle.

As 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. 1486, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1486, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 937-22 Judiciary & Hawaiian Affairs on H.B. No. 1860**

The purpose of this measure is to:

- (1) Require licensed used motor vehicle parts dealers to keep records of purchases of catalytic converters, and obtain a written statement from the seller that the seller has the lawful right to sell and dispose of the catalytic converter;
- (2) Establish the felony offense of theft of catalytic converter;
- (3) Increase the penalty for engaging in the business of purchasing or selling used motor vehicle parts and accessories, or wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories thereof, without a license;
- (4) Require scrap dealers to keep records of purchases of palladium, platinum, and rhodium; and

- (5) Require all scrap dealers or recyclers to pay for palladium, platinum, and rhodium, and all used motor vehicle parts dealers to pay for catalytic converters, by check.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Office of Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Insurers Council, Hawaii Transportation Association, Industrial Battery Solutions LLC, Schnitzer Steel Hawaii, Stolen Stuff Hawaii, and seven individuals. Your Committee received testimony in opposition to this measure from one individual.

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) Requiring licensed used motor vehicle parts dealers to keep certain records when the licensee attempts to ship a catalytic converter out of state;
- (2) Inserting a severability clause; 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. 1860, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1860, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 938-22     Judiciary & Hawaiian Affairs on H.B. No. 2084**

The purpose of this measure is to facilitate development of housing for farmers and farm employees who actively and currently farm on important agricultural lands by:

- (1) Allowing landowners and lessees of important agricultural lands to apply to a county to develop, construct, and maintain farm cluster housing on the lands for rent to farmers and farm employees who actively and currently farm on the land, subject to certain conditions;
- (2) Including farm cluster housing under a county priority permit processing procedure for facilities on lands designated as important agricultural lands; and
- (3) Repealing a restriction on farm dwellings on important agricultural lands that is stricter than what is allowed in agricultural districts.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Department of Planning and Permitting of the City and County of Honolulu; Hawai'i Farm Bureau; Maui Chamber of Commerce; and one individual.

Your Committee finds that Act 233, Session Laws of Hawaii 2008 (Act 233), established incentives related to the long-term viability of agricultural use of lands. Act 233 included a provision whereby landowners with agricultural lands designated as important agricultural lands were allowed to develop, construct, and maintain farm dwellings and employee housing on the land for farmers, employees, and their immediate family members; provided that the dwelling occupants were actively and currently engaged in farming. While intended as an agricultural incentive, your Committee finds that the provision imposed more restrictive standards for farm dwellings and employee housing on important agricultural lands than the existing standards for farm dwellings and employee housing on land in the agricultural land use district. This measure repeals the existing provision for farm dwellings and farm employee housing on important agricultural lands and establishes farm cluster housing as an incentive for the designation of lands as important agricultural lands, thereby facilitating the provision of certain farmer and farm employee housing to meet the State's agriculture industry needs.

Your Committee has amended this measure by:

- (1) Clarifying that agricultural business plans for farm cluster housing on important agricultural lands are also subject to review and comment by the appropriate county agency and may be required to be submitted to the Department of Agriculture for review and comment prior to county action on the application; and
- (2) Making technical, 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. 2084, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2084, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 939-22     Judiciary & Hawaiian Affairs on H.B. No. 2135**

The purpose of this measure is to allow the Department of Hawaiian Home Lands to directly assume review of proposed state projects relating to lands under its jurisdiction, rather than consulting the Department of Land and Natural Resources for the effect of those projects upon historic properties or burial sites.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Department of Land and Natural Resources. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology and Historic Hawai'i Foundation.

Your Committee finds that this measure would streamline the process of reviewing certain proposed projects by allowing the Department of Hawaiian Home Lands to assume such responsibility, instead of requiring it to consult with the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Inserting a sunset date of June 30, 2027; and
- (2) Making technical, 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. 2135, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2135, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (McKelvey). Noes, none. Excused, none.

#### **SCRep. 940-22 Judiciary & Hawaiian Affairs on H.B. No. 1979**

The purpose of this measure is to:

- (1) Require all persons, before engaging in an activity with a high likelihood of resulting in an incidental take of a threatened or endangered species, to enter into a planning process with the Department of Land and Natural Resources for the purpose of preparing and implementing a habitat conservation plan; and
- (2) Require habitat conservation plans to include additional components.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Wildlife Center, Kauai Albatross Network, Save Our Shearwaters, and sixteen individuals.

Your Committee finds that habitat conservation plans are voluntary under existing law. Requiring a responsible person to engage with the Department of Land and Natural Resources for the purpose of preparing and implementing a habitat conservation plan for certain activities that have a high likelihood of take will appropriately place the burden of compliance and accountability with the person and would likely decrease the unauthorized take of threatened and endangered species.

Your Committee has amended this measure by:

- (1) Deleting repetitive and unnecessary statutory language that required each habitat conservation plan to include effective measures to:
  - (A) Minimize incidental take;
  - (B) Monitor for the presence of any threatened or endangered species that are injured;
  - (C) Mitigate potential incidental take by protecting additional habitat areas and through the proper design and construction of structures, lighting, wires, and other obstructions; and
  - (D) Implement adaptive management;
- (2) Requiring each habitat conservation plan to include effective measures to provide generally reasonable medical services for injured species, rather than emergency medical treatment for and long-term rehabilitation of the injured species so that they can be released into the wild;
- (3) Deleting language that required each habitat conservation plan to include a service agreement with a facility that can provide on-call emergency medical treatment for and long-term rehabilitation of any injured species detected; 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. 1979, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1979, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 941-22 Judiciary & Hawaiian Affairs on H.B. No. 2034**

The purpose of this measure is to amend the membership of the Hawaii Community Development Authority by:

- (1) Adding the Director of Business, Economic Development, and Tourism, or the Director's designee;
- (2) Making the director of planning and permitting of each county in which a community development district is located, or the director's designee, a voting member, rather than a nonvoting, member;
- (3) Removing one at-large member;
- (4) Reducing the number of district resident representatives;
- (5) Removing the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, as a nonvoting member; and
- (6) Establishing a nomination and appointment procedure for the district representative positions for each community development district.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the dynamics of changing priorities and needs can necessitate changes to the leadership composition of any entity. This measure amends the existing governance structure of the Hawaii Community Development Authority to equip the Authority with the leadership, perspectives, and skill sets needed to meet the strategic priorities and goals of its mission.

Your Committee has amended this measure by:

- (1) Deleting the provision that the existing representatives of the Heeiea Community Development District, Kalaeloa Community Development District, and Kakaako Community Development District shall continue to serve until the expiration of their respective terms; and
- (2) Making technical, 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. 2034, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2034, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (McKelvey, Ward). Noes, 2 (D. Kobayashi, Tokioka). Excused, none.

**SCRep. 942-22 Judiciary & Hawaiian Affairs on H.B. No. 2042**

The purpose of this measure is to authorize the counties to create a process for the recordation and enforcement of solar easements and to require protection of solar access from shade caused by vegetation in order to preserve the economic value of solar radiation falling on structures, investments in solar energy devices, and options for future uses of solar energy.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the development and expansion of solar energy technology will help the State meet its present and future energy needs and renewable energy mandates. Enabling the counties to regulate and enforce certain rights or access to solar radiation would create a mechanism by which solar easements and rights may be established, asserted, and defended even as shade from neighboring structures or vegetation may infringe upon those rights or access.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have authorized the counties to require, by ordinance, the trimming of vegetation that blocks solar radiation from solar energy devices; and
- (2) Making technical, 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. 2042, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2042, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti, McKelvey, Tokioka, Ward). Noes, 1 (D. Kobayashi). Excused, none.

**SCRep. 943-22 Judiciary & Hawaiian Affairs on H.B. No. 2148**

The purpose of this measure is to:

- (1) Add, amend, and reorganize sections under Hawaii's water pollution chapter to consolidate water quality certification requirements and include wetlands in the definition of "state waters";
- (2) Clarify the Director of Health's responsibility as a water quality certifying agency under federal regulations;
- (3) Increase the maximum statutory civil penalties to match the amounts of federal penalties; and
- (4) Increase the penalty for denying, obstructing, or hampering the entry or inspection by authorized officers or employees of any building, place, or vehicle to match a similar penalty under Hawaii's air pollution chapter.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Reef and Ocean Coalition, and one individual.

Your Committee finds that existing laws relating to state waters are inconsistent, as wetlands are considered state waters only for purposes of nonpoint source pollution management and control and water quality standards and not for purposes of water pollution control. This measure remedies the existing inconsistency and further clarifies the State's water quality certification program by aligning statutory civil penalties with corresponding federal and state amounts.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "Act";
- (2) Changing the effective date to January 1, 2022, 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. 2148, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2148, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

**SCRep. 944-22 Judiciary & Hawaiian Affairs on H.B. No. 1475**

The purpose of this measure is to require:

- (1) Legislators and certain state employees whose financial disclosure statements are public record to complete live ethics training within ninety days of taking office and at least once every four years thereafter;
- (2) All other state employees to complete either live or online ethics training within ninety days of the start of employment and at least once every four years thereafter; and
- (3) Existing state legislators and employees who have not received ethics training within the immediately preceding three years of the effective date of this measure to complete live or online ethics training within twelve months of this measure's effective date and every four years thereafter.

Your Committee received testimony in support of this measure from the Hawai'i State Ethics Commission, Common Cause Hawaii, and one individual.

Your Committee finds that requiring ethics training for state legislators and employees every four years is of paramount importance for the State. Your Committee further finds that an online system to provide ethics training will allow training requirements to be extended more broadly to all state employees.

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. 1475, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1475, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

**SCRep. 945-22 Judiciary & Hawaiian Affairs on H.B. No. 2416**

The purpose of this measure is to inform the public of the true sources of dark money contributions by requiring:

- (1) Section 501(c)(4) nonprofit organizations to disclose the name and address of donors who donate an aggregate of more than \$100, with certain exceptions; and
- (2) Persons who make an expenditure for electioneering communications in an aggregate amount of more than \$1,000 to include in the statement of information filed with the Campaign Spending Commission the name and address of the top three contributors or donors that contributed or donated an aggregate of more than \$100 based on the last in, first out accounting method, with certain exceptions.

Your Committee received testimony in opposition to this measure from the Sierra Club of Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General, Campaign Spending Commission, and 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:

- (1) Amending the consent procedures for when nonprofit organizations can use donations for electioneering communications, independent expenditures, or contributions and must report donor information pursuant to elections laws;
- (2) Requiring the statement of information filed with the Campaign Spending Commission to include the name and address of the top three contributors or donors that contributed or donated an aggregate of more than \$100 in the preceding twelve-month period, rather than based on the last in, first out accounting method; 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. 2416, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2416, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (LoPresti). Noes, 1 (D. Kobayashi). Excused, 1 (Nakamura).

**SCRep. 946-22 Judiciary & Hawaiian Affairs on H.B. No. 1427**

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 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 it is unnecessary to require 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.

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. 1427, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1427, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

**SCRep. 947-22 Judiciary & Hawaiian Affairs on H.B. No. 2026**

The purpose of this measure is to strengthen the understanding of, and public participation in, the administrative proceedings and process of government boards by:

- (1) Making clarifying amendments to Hawaii's open meetings law to reflect existing opinions and guidance from the Office of Information Practices;
- (2) Authorizing a permitted interaction for the narrow purpose of preparing a written statement for the Legislature;
- (3) Specifying when board packets must be available to interested persons; and
- (4) Specifying that Hawaii's open meetings law applies to all adjudicatory functions concerning land use, including adjudicatory functions exercised by the Land Use Commission.

Your Committee received testimony in support of this measure from the one member of the Hawai'i County Council, Civil Beat Law Center for the Public Interest, League of Women Voters of Hawaii, Hawaii Chapter of the Society of Professional Journalists, and Common Cause Hawaii. Your Committee received comments on this measure from the Hawai'i Tourism Authority and Office of Information Practices.

Your Committee finds that this measure will allow the public as well as state and county board members to engage more meaningfully in public discourse.

Your Committee has amended this measure by:

- (1) Clarifying when board packets must be available to interested persons;
- (2) Clarifying that board packets are not required to be created; 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. 2026, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2026, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Nakamura).

#### **SCRep. 948-22 Judiciary & Hawaiian Affairs on H.B. No. 2069**

The purpose of this measure is to establish procedures for the custody, inventory, and care of protocol gifts received by members of either house of the Legislature or state employees.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Hawai'i State Ethics Commission, and Common Cause Hawaii.

Your Committee finds that legislators and state employees accept protocol gifts on behalf of the State from individual donors, government agencies, entities, and organizations, including foreign officials, federal officers, state officials from another state, and other representatives of government agencies, entities, or organizations, as a gesture of goodwill or to strengthen national and international relationships. Your Committee further finds that there is no uniform set of procedures regarding the custody, inventory, and maintenance of these protocol gifts. Your Committee believes that the guidance provided in this measure will preserve objects of historical significance for the State while promoting government transparency and accountability.

Your Committee has amended this measure by:

- (1) Amending the definition of "protocol gift" to clarify that:
  - (A) The gift is tendered to or received by a legislator or state employee on behalf of the State or either house of the Legislature; and
  - (B) The definition includes gifts from a foreign official, federal officer, state official from another state, or other representative of a government agency, an entity, or an organization; and
- (2) Making technical, 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. 2069, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2069, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Nakamura).

#### **SCRep. 949-22 Judiciary & Hawaiian Affairs on H.B. No. 2025**

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting only applies to the disclosure of the names of adults, and not minors, who are physically with the board member at a nonpublic location, unless the minor has a conflict of interest with any issue before the board.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021 (Act 220), allows boards subject to the State's Sunshine Law the option to use interactive conference technology to conduct remote meetings. Your Committee further finds that Act 220 requires a board member participating from a nonpublic location to identify those who are also present in that same location. Your Committee notes that board members may have their minor children present with them during a virtual board or committee meeting. Your Committee believes that children's privacy rights prevail over the public's right to disclosure of all the individuals who are present with a board member in a virtual meeting.

Your Committee has amended this measure by:

- (1) Clarifying that the names of any individual who is physically with a board member attending a public meeting by an online method and is under the age of eighteen shall be disclosed if the individual has a private interest, rather than a conflict of interest, on any issue before the board; and
- (2) Deleting the definition for "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. 2025, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2025, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Nakamura).

#### **SCRep. 950-22 Judiciary & Hawaiian Affairs on H.B. No. 2125**

The purpose of this measure is to provide increased protection for educational workers to conduct school business by establishing the misdemeanor offense of harassment of an educational worker for disrupting or interfering with the administration or functions of any school, school administration office, or school board.

Your Committee received testimony in support of this measure from the Department of Education; Principal in Residence for the Department of Education's Leadership Institute; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Autism Foundation, K.E.L.I.I. Foundation, and numerous individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that the number of threats of violence and acts of intimidation occurring in schools and to educational employees warrant safeguards to protect the health and safety of the school environment, school administration, and educational leaders. Your Committee also finds that safe schools are fundamental to creating and fostering an optimal learning and working environment. School safety is linked to improved student performance and school

outcomes. This measure recognizes the necessity of safeguarding educational workers to enable optimal delivery of educational services to students and families and maintaining a safe learning and working environment.

Your Committee has amended this measure by:

- (1) Requiring the Department of Education to:
  - (A) Report all substantial incidents of harassment to the proper law enforcement authority;
  - (B) Implement procedures for handling harassment of its employees, including employees excluded from collective bargaining;
  - (C) Assign employees within the department to handle harassment claims; and
  - (D) Assist its employees with any legal actions that may arise from harassment;
- (2) Requiring the Department of Education and Board of Education to implement trainings for its staff on how to use de-escalation techniques and handle harassment from outside actors;
- (3) Amending the offense of harassment of an educational worker to require that the person commits the offense with intent to impede the government operations of an educational worker, rather than with the intent to harass, annoy, or alarm an educational worker; 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. 2125, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2125, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Matayoshi, Tokioka). Noes, 2 (D. Kobayashi, Ward). Excused, 1 (Nakamura).

#### **SCRep. 951-22 Judiciary & Hawaiian Affairs on H.B. No. 1848**

The purpose of this measure is to establish the Hawaii Student Journalism Protection Act to:

- (1) Allow student journalists at public schools and the University of Hawaii to exercise freedom of speech and freedom of the press in school-sponsored media; and
- (2) Protect advisors from retaliation for refusing to infringe upon student press freedom.

Your Committee received testimony in support of this measure from the Big Island Press Club, Hawaii State Teachers Association, Hawaii Publishers Association, Hawaii Professional Chapter of the Society of Professional Journalists, All Hawaii News, Student Press Law Center, and eleven individuals. Your Committee received comments on this measure from the Department of Education and Office of Information Practices.

Your Committee finds that journalism is a critical component of a well-functioning democracy. Your Committee believes that, to support and cultivate future generations of journalists, student journalists need to be able to practice their craft and refine it through their educators. This measure establishes the protections guaranteed by the First Amendment of the United States Constitution for student journalists and their educators while clarifying their responsibilities.

Your Committee has amended this measure by:

- (1) Clarifying that the proposed protections for student journalism do not apply to student expressions that constitute a clearly unwarranted invasion of personal privacy; and
- (2) Making technical, 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. 1848, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1848, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

#### **SCRep. 952-22 Judiciary & Hawaiian Affairs on H.B. No. 1986**

The purpose of this measure is to require at least one at-large member of the Board of Education to be a Hawaiian immersion expert selected from a list of nominees submitted by the Aha Kauleo Kaiapuni Hawaii.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Kamehameha Schools; Hawaii State Teachers Association; 'Aha Kauleo; Kuakini Hawaiian Civic Club of Kona; Hui Makua o Pū'ōhala; Kanaeokana; The School Community Council of Kula Kaiapuni 'o Ānuenue; Ka 'Aumanu; Nā Leo Kāko'o; Hawaiian Civic Club of Hilo; Aloha 'Āina Legal Group, LLC; Council for Native Hawaiian Advancement; Nā Leo Kāko'o O Maui, Inc.; and numerous individuals. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that Olelo Hawaii, the Hawaiian language, has been the native language of Hawaii's indigenous people for over two thousand years and has provided the foundation for the establishment and development of Hawaiian society. In 1978, the Constitution of the State of Hawaii was amended to include article X, section 4, which requires the State to promote the study of Hawaiian culture, history, and language; and article XV, section 4, which states that English and Hawaiian are the official languages of Hawaii, reaffirming the State's constitutional responsibility.

Your Committee further finds that existing law does not require any member of the Board of Education to be an individual with expertise in Hawaiian studies, the Hawaiian language, or Hawaiian immersion education. This measure will require at least one at-large member of the Board of Education to be a Hawaiian immersion expert.

Your Committee has amended this measure by:

- (1) Requiring the Hawaiian immersion expert to be selected from a list of three nominees submitted by the President of the Senate, Speaker of the House of Representatives, and Office of Hawaiian Affairs, which will each nominate one person, rather than requiring the Hawaiian immersion expert to be selected from a list of nominees submitted by the Aha Kauleo Kaiapuni 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1986, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1986, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti, Takumi). Noes, none. Excused, 1 (Nakamura).

#### **SCRep. 953-22 Judiciary & Hawaiian Affairs on H.B. No. 2037**

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 open meetings 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. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, Society of Professional Journalists Hawaii Chapter, and one individual. Your Committee received comments on this measure from Common Cause Hawaii.

Your Committee finds that in many appeals to the Office of Information Practices, informal written guidance may be more suitable, less time-consuming, and more efficient than providing a full legal ruling or 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 the required actions of the Director of the Office of Information Practices to include:
  - (A) Providing either a ruling or guidance in writing on an agency denial of access to, or granting of access to, information or records; and
  - (B) Receiving and resolving complaints under Hawaii's open meetings law either by providing a ruling or guidance in writing on whether a violation occurred;
- (2) Defining the terms "guidance", "opinion", and "ruling" with regard to the Office of Information Practices;
- (3) Inserting a sunset date of June 30, 2027; 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. 2037, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2037, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 954-22 Judiciary & Hawaiian Affairs on H.B. No. 1823**

The purpose of this measure is to amend the Our Care, Our Choice Act to:

- (1) Authorize advanced practice registered nurses and physician assistants, in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority;
- (2) Authorize advanced practice registered nurses with a psychiatric or clinic nurse specialization and physician assistants, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient;
- (3) Reduce the mandatory waiting period between oral requests from twenty days to fifteen days;
- (4) Reduce the mandatory waiting period between a qualified patient's initial oral request and the provision of a prescription from fifteen days to ten days if more than ten business days pass between the initial oral request and an appraisal of the patient by the attending provider or consulting provider;
- (5) Provide an expedited pathway for terminally ill qualified patients who are not expected to survive the mandatory waiting period; and
- (6) Prohibit the disclosure, discovery, or compelled production of information collected or retained pursuant to incidental or routine communication between the Department of Health and qualified patients or providers.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Pacific Health; Burden Lifters, LLC; Hawai'i-American Nurses Association; Hawai'i Association of Professional Nurses; Compassion & Choices; Hawai'i Academy of Physician Assistants; Hawaii Society of Clinical Oncology; National Association of Social Workers-Hawai'i; Hawaiian Islands Association for Marriage and Family Therapy; Hawai'i Psychological Association; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii Family Forum, Hawaii Psychiatric Medical Association, and two individuals. Your Committee received comments on this measure from the Department of Health, Board of Nursing, and Hawai'i State Center for Nursing.

Your Committee finds that certain amendments to the Our Care, Our Choice Act are necessary to better ensure that terminally ill individuals across the State have access to the full-range of end-of-life care options. Specifically, this measure addresses the shortage of physicians in the State, particularly on neighbor islands, and the long mandatory waiting period, which many patients do not survive.

Your Committee has amended this measure by:

- (1) Deleting language that would have reduced the mandatory waiting period between a qualified patient's initial oral request and the provision of a prescription from fifteen days to ten days if more than ten business days passed between the initial oral request and an appraisal of the patient by the attending provider or consulting provider;
- (2) Deleting the savings clause; 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. 1823, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1823, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (McKelvey). Noes, 1 (Ward). Excused, 1 (Nakamura).

**SCRep. 955-22 Judiciary & Hawaiian Affairs on H.B. No. 2344**

The purpose of this measure is to reform probation procedures by:

- (1) Requiring probation officers to conduct formal reviews of a defendant's progress halfway through the defendant's period of probation and provide information on how to file a motion for early termination of probation; and
- (2) Giving probation officers or law enforcement officers who have probable cause to believe a defendant has failed to comply with a discretionary condition of probation the discretion to issue the defendant a written notice of a court hearing.

Your Committee received testimony in support of this measure from ten individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Community Alliance on Prisons, and American Civil Liberties Union of Hawai'i.

Your Committee finds that technical violations of probation and parole account for approximately a quarter of all jail and prison admissions in Hawaii on a weekly basis. These admissions are costly for the State and interfere with employment, housing, health care, child custody, and other life opportunities, negatively impacting families and communities. This measure attempts to mitigate these negative impacts by introducing certain probation reform procedures that will assist probationers and provide a less disruptive process for handling alleged violations of discretionary conditions of probation.

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. 2344, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2344, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

**SCRep. 956-22 Judiciary & Hawaiian Affairs on H.B. No. 2113**

The purpose of this measure is to minimize the regulatory burden and eliminate redundancy by permitting money transmitter applicants to submit to either a state or federal criminal history record check, rather than both.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that the majority of states only require a federal criminal history background review since states are reporters to the national criminal background database. Hawaii has been a reporter to the national criminal history background database for the past seven years. Since learning that the State was a reporter to the national database, the Department of Commerce and Consumer Affairs' Division of Financial Institutions reviewed parallel state and federal criminal history background reviews and found no discrepancies on disqualifying crimes.

Your Committee further finds that NMLS is the sole nationwide platform that provides information-sharing among state regulators to increase efficiencies for supervision and enhance consumer protection. The cloud-based system provides state agencies with access to up-to-date criminal history records from the national database and helps ensure that persons in a position of trust meet established standards to protect consumers and businesses.

This measure streamlines the process for money transmitter applicants by requiring a criminal history record check through either NMLS or the state review.

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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2113, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2113, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Nakamura).

**SCRep. 957-22 Judiciary & Hawaiian Affairs on H.B. No. 1757**

The purpose of this measure is to:

- (1) Not allow planned community associations to prohibit an owner or a sub-association from utilizing xeriscaping; and
- (2) Void any provision in an association document that prohibits xeriscaping.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Conservation Council For Hawaii. Your Committee received testimony in opposition to this measure from Legislative Action Committee of the Community Associations Institute, Hawaii Chapter; Law Offices of Mark K. McKellar, LLC; and twelve individuals. Your Committee received comments on this measure from the Honolulu Board of Water Supply.

Your Committee finds that outdoor water use makes up approximately one-half of a homeowner's water consumption. Xeriscaping offers an ideal way to minimize water waste while maintaining a beautiful landscape. Your Committee further finds that xeriscaping helps alleviate the pressure on the water supply in the counties and benefits the ecosystem.

Your Committee has amended this measure by:

- (1) Allowing planned community associations to adopt rules regarding the design of any xeriscaping 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. 1757, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1757, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

**SCRep. 958-22 Finance on H.B. No. 1412**

The purpose of this measure is to require the counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment.

Your Committee received testimony in support of this measure from one member of the Maui County Council, County of Maui Department of Environmental Management, County of Hawaii Department of Environmental Management, Hawaii Council of Mayors, Hawai'i State Association of Counties, and eleven 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 H.B. No. 1412, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1412, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 959-22 Finance on H.B. No. 1413**

The purpose of this measure is to:

- (1) Authorize a county director of finance to require payment of outstanding charges and fines relating to the disposition of an abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and
- (2) Require a county director of finance to notify the appropriate county examiner of drivers of the individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

Your Committee received testimony in support of this measure from one member of the Maui County Council, Department of Finance of the County of Kaua'i, Department of Environmental Management of the County of Hawai'i, Department of Environmental Management of the County of Maui, Kauai Police Department, Hawaii Council of Mayors, Hawai'i State Association of Counties, and ten 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 H.B. No. 1413, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1413, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 960-22 Finance on H.B. No. 1739**

The purpose of this measure is to clarify that the Comprehensive Offender Reentry System provides programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, and one individual.

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. 1739, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1739, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 961-22 Finance on H.B. No. 2329**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to place historical markers in the State to indicate significant sites in the life of President Barack Obama as identified by the Department, in consultation with the Hawaii Tourism Authority and State Foundation on Culture and the Arts; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and two individuals.

Your Committee has amended this measure by:

- (1) Clarifying the process for the placement of historical markers if the location identified is a private residence; and
- (2) Making technical, 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. 2329, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2329, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 962-22 Finance on H.B. No. 1844**

The purpose of this measure is to support a coordinated framework for agriculture education by appropriating funds for one full-time equivalent Agriculture Education Coordinator position at the College of Tropical Agriculture and Human Resources at the University of Hawai'i at Mānoa.



Your Committee received testimony in support of this measure from the University of Hawai'i System; Department of Education; Department of Agriculture; one member of the Hawai'i County Council; Hawai'i Farm Bureau; Hawaii Floriculture and Nursery Association; Hawaii Cattlemen's Council, Inc.; Local Food Coalition; Hawai'i Farm to School Hui; Hawai'i Youth Food Council; Food+ Policy Internship 2022; Hawai'i Alliance for Progressive Action; Center for Getting Things Started; O'ahu Farm to School Network; and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the appropriation to 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.

As affirmed by the record of votes of 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. 1844, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1844, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 963-22 Finance on H.B. No. 1992**

The purpose of this measure is to:

- (1) Encourage the production of local compost and the diversion of certain materials from the State's waste streams by allowing composting and co-composting operations in agricultural districts; and
- (2) Establish and appropriate funds for an Environmental Health Specialist IV position in the Solid and Hazardous Waste Branch of the Department of Health.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Department of Environmental Management of the County of Hawai'i, County of Maui Department of Environmental Management, Environmental Caucus of the Democratic Party of Hawai'i, West Maui Green Cycle, Zero Waste Maui, 350Hawaii, Kauai Climate Action Coalition, Malama Kaua'i, Climate Protectors Hawai'i, Hawai'i Alliance for Progressive Action, Pele Lani Farm LLC, North Shore Economic Vitality Partnership, Life of the Land, and eighteen individuals. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, Department of Agriculture, Hawai'i Farm Bureau, and one individual.

Your Committee has amended this measure by:

- (1) Specifying that operations that process their own green waste and do not require permits from the Department of Health shall use the finished composting product only on their own premises to minimize the potential spread of invasive species;
- (2) Changing the appropriation 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. 1992, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1992, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 964-22 Finance on H.B. No. 2418**

The purpose of this measure is to amend the focus, scope, and management of the Agribusiness Development Corporation to reflect the current state of agriculture in Hawaii and focus on statewide needs for export and consumption of local agricultural products.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Malama Kaua'i, Pele Lani Farm LLC, Free Access Coalition, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, Agribusiness Development Corporation, Hawai'i Alliance for Progressive Action, and three individuals.

Your Committee has amended this measure by:

- (1) Clarifying that existing members of the Board of Directors of the Agribusiness Development Corporation are to be retained through the expiration of their terms, unless they resign, die, or are removed for misconduct;
- (2) Changing the appropriations to unspecified amounts; 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. 2418, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2418, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 965-22 Finance on H.B. No. 1864**

The purpose of this measure is to improve the ability of school food programs to serve students fresh, locally grown foods by authorizing the issuance of general obligation bonds and appropriating funds for school cafeteria upgrades and cafeteria staff training.

Your Committee received testimony in support of this measure from the Department of Education; one member of the Hawai'i County Council; Hawai'i Farm Bureau; Ulupono Initiative; Hawai'i Food+ Policy Internship 2022; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm to School Hui; Hawai'i Alliance for Progressive Action; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee has amended this measure by changing the general bond obligation issuance amount and appropriation amount 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 H.B. No. 1864, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1864, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

**SCRep. 966-22 Finance on H.B. No. 2431**

The purpose of this measure is to:

- (1) Establish the Sustainable Food Systems Working Group within the Office of Planning and Sustainable Development;
- (2) Require the working group to develop a plan for a more sustainable, resilient local food economy and report to the Legislature; and
- (3) Appropriate funds to establish the working group and develop the plan and for the hiring of one full-time equivalent Sustainability Specialist position.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Hawai'i Food+ Policy, North Shore Economic Vitality Partnership, and three individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Office of Planning and Sustainable Development, and Hawaii Farmers Union United.

Your Committee has amended this measure by:

- (1) Changing the appropriations and position count to unspecified amounts; 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 H.B. No. 2431, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2431, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

**SCRep. 967-22 Finance on H.B. No. 1747**

The purpose of this measure is to require the State Building Code Council to consult with building industry trade associations to gather cost data on the implementation of certain building codes or standards, calculate the financial impact of those codes and standards on the cost of single-family and multi-family homes, and include those costs in its annual report to the Governor to determine whether the codes or standards benefit state residents.

Your Committee received testimony in support of this measure from the Building Industry Association of Hawaii, D.R. Horton Hawaii LLC, and NAIOP Hawaii. Your Committee received testimony in opposition to this measure from the Structural Engineers Association of Hawaii and Martin Chock & Carden, Inc. Your Committee received comments on this measure from the Hawaii State Energy Office, Plumbers and Pipefitters UA Local 675, American Institute of Architects Hawaii Council, and State Farm Mutual Automobile Insurance Company.

Your Committee has amended this measure by:

- (1) Specifying that the State Building Code Council shall consult with affected and interested industry stakeholders, rather than general building contractor associations and building industry trade associations, to gather information and recommendations on construction practices and certain training; and
- (2) Making technical, 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. 1747, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1747, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, Todd).

**SCRep. 968-22 Finance on H.B. No. 2218**

The purpose of this measure is to designate the reef runway at the Daniel K. Inouye International Airport as the Frank T. Okimoto Reef Runway.

Your Committee received testimony in support of this measure from three 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 H.B. No. 2218, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2218, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, Todd).

**SCRep. 969-22 Finance on H.B. No. 1752**

The purpose of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords to participate in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937 and appropriate funds for incentives under the Program;
- (2) Require the Hawaii Public Housing Authority to adopt or amend rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (3) Establish and appropriate funds for positions within the Hawaii Public Housing Authority for inspections and other aspects related to dwelling units that are the subject of applications for the Section 8 Housing Choice Voucher Program.

Your Committee received testimony in support of this measure from the Hawai'i Health & Harm Reduction Center, League of Women Voters of Hawaii, St. Michael the Archangel Church, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, Hawaii Public Housing Authority, Hawaii State Council on Developmental Disabilities, Catholic Charities Hawai'i, Partners in Care, Hawai'i Association of REALTORS, and HOPE Services Hawaii.

Your Committee has amended this measure by:

- (1) Changing the appropriations for positions within the Hawaii Public Housing Authority 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. 1752, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1752, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 970-22 Finance on H.B. No. 1829**

The purpose of this measure is to:

- (1) Specify that the entire allocation of the state bond ceiling shall be allocated to the Hawaii Housing Finance and Development Corporation (Corporation) to be used for housing-related projects;
- (2) Require the Corporation, in consultation with the respective counties, to allocate specified percentages of the state bond ceiling for housing-related projects in each county;
- (3) Authorize the Corporation to accumulate each county's annual allocation before assigning the allocation for housing related projects, at the discretion of the Corporation's Board of Directors;
- (4) Authorize the Corporation, with the approval of the Governor, to assign and reassign the Corporation's allocation to the counties;
- (5) Remove the authorization for the Department of Budget and Finance to request return of all or any part of the allocations of any of the counties and to assign and reassign the allocation to other counties or issuers;
- (6) Remove the authorization for counties or issuers to request additional allocations of the state bond ceiling; and
- (7) Change the deadlines for reporting on unused or unassigned allocations and reversion of certain allocations to the State.

Your Committee received testimony in support of this measure from Highridge Costa Development Company and Catholic Charities Hawai'i. Your Committee received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Hawaii Housing Finance and Development Corporation.

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. 1829, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1829, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 971-22 Finance on H.B. No. 1917**

The purpose of this measure is to remove the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing ground lease, or issue a new ground lease, for the Front Street Apartments affordable housing project in Lahaina, Maui, before the initiation of condemnation proceedings.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and one member of the Maui County Council.

Your Committee 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 H.B. No. 1917, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1917, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 972-22 Finance on H.B. No. 2513**

The purpose of this measure is to:

- (1) Deposit funds into the Rental Housing Revolving Fund to be used to provide loans or grants to mixed-income rental projects or units for persons and families with incomes between sixty-one and one hundred percent of the median family income; and
- (2) Enable the Hawaii Housing Finance and Development Corporation to utilize unused monies for other authorized rental housing projects.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and AARP Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Catholic Charities Hawai'i, and Highridge Costa Development Company.

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. 2513, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2513, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (Perruso). Excused, 1 (McDermott).

#### **SCRep. 973-22 Finance on H.B. No. 2015**

The purpose of this measure is to establish an institute within the William S. Richardson School of Law to be known as Hookaulike: A Criminal Legal System Institute for Restoration and Healing and to appropriate funds to establish the institute.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Office of Hawaiian Affairs, Community Alliance on Prisons, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the appropriation for permanent full-time equivalent positions and funding for Hookaulike: A Criminal Legal System Institute for Restoration and Healing to unspecified amounts;
- (2) Changing the numbers of permanent full-time equivalent positions to be established to unspecified numbers; 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. 2015, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2015, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Branco).

#### **SCRep. 974-22 Finance on H.B. No. 2397**

The purpose of this measure is to:

- (1) Establish a Hawaii Broadband Infrastructure Authority to oversee broadband infrastructure in the State;
- (2) Strengthen and clarify the Hawaii Broadband and Digital Equity Office's role with respect to broadband access and digital equity, including repealing the responsibility of the Office in promoting the trans-Pacific submarine cable; and
- (3) Appropriate federal funds.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities; Ocean Networks, Inc.; and one individual. Your Committee received testimony in opposition to this measure from CTIA. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Department of Budget and Finance; Department of Transportation; University of Hawai'i System; League of Women Voters of Hawaii; Charter Communications; Hawaiian Telcom; and one individual.

Your Committee has amended this measure by:

- (1) Ensuring that the Hawaii Broadband Infrastructure Authority captures all the available federal funding and coordinates funding efforts among all state agencies;
- (2) Specifying certain budgetary information regarding federal funds received by the Authority to be included in the annual report to the Legislature;
- (3) Changing the expending agency for the appropriation to the University of Hawaii; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2397, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2397, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Branco).

#### **SCRep. 975-22 Finance on H.B. No. 2091**

The purpose of this measure is to appropriate or authorize funds for fiscal year 2022-2023 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 Hawaii Health Systems Corporation Corporate Board of Directors; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee has amended this measure by:

- (1) Inserting the appropriate figures for fiscal biennium 2021-2023 based upon the ratified collective bargaining agreement for collective bargaining unit (1), as indicated in Governor's Message No. 6, 2022;
- (2) Making it effective 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 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. 2091, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2091, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 976-22 Finance on H.B. No. 2097**

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 Health Systems Corporation Corporate Board of Directors; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee has amended this measure by:

- (1) Inserting the appropriate figures based upon the ratified collective bargaining agreement for collective bargaining unit (9), as indicated in Governor's Message No. 3, 2022;
- (2) Making it effective 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 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. 2097, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2097, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 977-22 Finance on H.B. No. 1839**

The purpose of this measure is to make camper vans a type of transient accommodation, the rental of which is subject to the transient accommodations tax.

Your Committee received testimony in support of this measure from one member of the Maui County Council. Your Committee received testimony in opposition to this measure from the Hawai'i Lodging & Tourism Association. Your Committee received comments on this measure from the Department of Taxation, Hawai'i Tourism Authority, Tax Foundation of Hawaii, Maui Chamber of Commerce, and Maui Hotel & Lodging 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. 1839, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (Marten). Excused, none.

#### **SCRep. 978-22 Finance on H.B. No. 1635**

The purpose of this measure is to establish a rural health task force to develop solutions for and make recommendations regarding the recruitment and retention of registered nurses and facility-specific needs for the health care sector in rural areas of east Maui, Molokai, and Lanai.

Your Committee received testimony in support of this measure from one member of the Maui County Council, The Queen's Health Systems, and one individual. Your Committee received comments on this measure from the Department of Health, Department of Human Services, Hawai'i State Center for Nursing, Hana Health, Lāna'i Community Health Center, Molokai Community Health Center, Hawai'i Primary Care Association, and We are Hawai'i-American Nurses Association.

Your Committee has amended this measure by:

- (1) Adding a representative from Malama I Ke Ola Health Center and Molokai Community Health Center to the task force and expanding the scope of the task force's duties to include rural areas of all of Maui; and
- (2) Making technical, 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. 1635, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1635, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 979-22 Finance on H.B. No. 2512**

The purpose of this measure is to expand regulatory exemptions for Ohana Zones Pilot Program contracts and extend the sunset date and appropriate funds for the pilot program.

Your Committee received testimony in support of this measure from Partners In Care, Catholic Charities Hawai'i, St. Michael the Archangel Church, Na Kahua Hale O Ulu Wini, Hawai'i Appleseed Center for Law & Economic Justice, HOPE Services Hawai'i, and four individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Department of Human Services. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Hawai'i Emergency Management Agency, Governor's Coordinator on Homelessness, and Collaborative Quality Consulting.

Your Committee has amended this measure by:

- (1) Changing the appropriation to an unspecified amount; and
- (2) Changing the effective date to July 1, 2050, to 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. 2512, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2512, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 980-22 Finance on H.B. No. 1744**

The purpose of this measure is to:

- (1) Authorize the issuance of general obligation bonds and appropriate bond proceeds to the Hawaii Public Housing Authority to begin the development and construction of permanent supportive housing units to meet the needs of chronically homeless individuals and families and other vulnerable populations in the State; and
- (2) Authorize the Hawaii Housing Finance and Development Corporation to consider any application for competitive federal low-income housing tax credits from the Hawaii Public Housing Authority or partner, or both, for the construction of these units.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Partners in Care, Catholic Charities Hawai'i, Hawai'i Health & Harm Reduction Center, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Land and Natural Resources, and Hawaii Housing Finance and Development Corporation.

Your Committee has amended this measure by:

- (1) Changing the general bond obligation issuance amount 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. 1744, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1744, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 981-22 Finance on H.B. No. 1638**

The purpose of this measure is to appropriate funds to the Hawaii Health Systems Corporation to conduct a site assessment to identify and evaluate viable locations for a new hospital site in North Kona on the island of Hawaii.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Kona Community Hospital.

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

As affirmed by the record of votes of 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. 1638, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1638, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

#### **SCRep. 982-22 Finance on H.B. No. 1762**

The purpose of this measure is to:

- (1) Require the Office of Language Access to submit an annual report to the Governor and Legislature regarding state agencies' and covered entities' compliance with language access laws, complaints of noncompliance with language access laws, resolution of such complaints, and recommendations to enhance and promote language access; and
- (2) Appropriate funds to establish Limited English Proficiency Language Coordinator positions to work with all state agencies to ensure compliance with all state and federal language access laws.

Your Committee received testimony in support of this measure from the Department of Health, Department of Labor and Industrial Relations, Department of Commerce and Consumer Affairs, Office of Community Services, The Legal Clinic, Catholic Charities Hawai'i, Hawaii Children's Action Network Speaks!, Common Cause Hawaii, Hawai'i Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Hawai'i Public Health Institute, 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 Budget and Finance, Hawai'i Emergency Management Agency, 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. 1762, 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. 983-22 Finance on H.B. No. 1548**

The purpose of this measure is to appropriate funds to the John A. Burns School of Medicine to expand medical school and residency training through the United States Department of Veterans Affairs graduate medical education programs.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Manoa, Healthcare Association of Hawaii, Hawaii Primary Care Association, Hawai'i Psychiatric Medical Association, Hawai'i Pacific Health, and The Queen's Health Systems. 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. 1548, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Eli, Holt, Todd).

#### **SCRep. 984-22 Finance on H.B. No. 2339**

The purpose of this measure is to:

- (1) Make an emergency appropriation from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022; and
- (2) Authorize the Department of Health to expend these funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, and Mothers Against Drunk Driving 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. 2339, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

**SCRep. 985-22 Finance on H.B. No. 1865**

The purpose of this measure is to:

- (1) Repeal the exemption for charter schools from requirements that the Board of Education use and expend certain federal funds for specified purposes;
- (2) Require authorizers to timely provide state-level federal grant information to charter schools; and
- (3) Require the State Public Charter School Commission to disburse federal funds and per-pupil funding directly to public charter schools.

Your Committee received comments on this measure from the Department of the Attorney General and Hawaii Public Charter Schools Network.

As affirmed by the record of votes of 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. 1865, 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. 986-22 Finance on H.B. No. 2000**

The purpose of this measure is to appropriate funds to the School Facilities Authority for the construction of preschool facilities.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education, Hawaii State Teachers Association, Kamehameha Schools, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Executive Office on Early Learning, School Facilities Authority, Early Learning Board, Early Childhood Action Strategy, Hawaii Children's Action Network Speaks!, 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. 2000, 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. 987-22 Finance on H.B. No. 1994**

The purpose of this measure is to:

- (1) Establish the Shade Trees and Native Plants Program within the Department of Education to support educational activities and encourage the propagation of native plants and fruit trees for planting in department schools; and
- (2) Appropriate funds for the Shade Trees and Native Plants Program and for an arborist position to support the Program.

Your Committee received testimony in support of this measure from the Hawai'i Farm to School Hui; Mamaki Ola Farm and Education, LLC; Trees for Honolulu's Future; Climate Protectors Hawai'i; Ka Ohana O Na Pua; and ten individuals. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, Department of Land and Natural Resources, and one individual.

Your Committee has amended this measure by:

- (1) Renaming the Shade Trees and Native Plants Program as the Shade and Fruit Tree Program and amending the scope of the program to include native shade trees, rather than native plants;
- (2) Removing the Farm to School Coordinator's supervisory authority of the program;
- (3) Changing the appropriation for administration of the program to an unspecified amount; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1994, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1994, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 988-22 Finance on H.B. No. 1490**

The purpose of this measure is to establish a civil penalty for failure to respond to an inquiry or request for information during a state tax examination or investigation.

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

Your Committee 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. 1490, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1490, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (B. Kobayashi, McDermott). Noes, none. Excused, 1 (Holt).

**SCRep. 989-22 Finance on H.B. No. 1494**

The purpose of this measure is to amend the purpose and duties of the Special Enforcement Section 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 one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

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 H.B. No. 1494, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1494, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Holt).

#### **SCRep. 990-22 Finance on H.B. No. 1507**

The purpose of this measure is to deliver tax fairness and financial security to working families by:

- (1) Increasing the tax rate on capital gains; and
- (2) Making the Earned Income Tax Credit refundable and permanent.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; League of Women Voters of Hawaii; Hawai'i Health & Harm Reduction Center; Americans for Democratic Action Hawai'i; Democratic Party of Hawai'i Education Caucus; Imua Alliance; Hawai'i Public Health Institute; Hawai'i Appleseed Center for Law & Economic Justice; Parents And Children Together; Democratic Party of Hawaii Labor Caucus; Hawai'i Alliance for Progressive Action; American Academy of Pediatrics, Hawaii Chapter; Pono Hawai'i Initiative; Early Childhood Action Strategy; Hawai'i Alliance for Community-Based Economic Development; and eighteen individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and six individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawai'i Children's Action Network Speaks!, Tax Foundation of Hawaii, Grassroot Institute of Hawaii, and Chamber of Commerce Hawaii.

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. 1507, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1507, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (McDermott). Excused, 1 (Holt).

#### **SCRep. 991-22 Finance on H.B. No. 1828**

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten members to three, with at least two required for quorum;
- (2) Clarifying that the Vice Chair of the Board shall serve as the Chairperson during the Chairperson's temporary inability to act due to recusal;
- (3) Establishing that the members are full-time employees, with compensation based on a percentage of the salary of the Director of Taxation;
- (4) Authorizing members to validate the Board's actions with a concurrence of the majority;
- (5) Clarifying that Board meetings are contested case hearings and specifying notice requirements; and
- (6) Appropriating funds for the Department of Taxation to establish three full-time equivalent Taxation Board of Review members and two full-time equivalent staff positions.

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

Your Committee has amended this measure by:

- (1) Changing the following to unspecified amounts:
  - (A) The amount of Taxation Board of Review members and staff positions established under this measure; and
  - (B) The appropriation amount;
- (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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1828, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1828, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

#### **SCRep. 992-22 Finance on H.B. No. 1982**

The purpose of this measure is to:

- (1) Require every person making payment to a loan-out company and claiming the Motion Picture, Digital Media, and Film Production Tax Credit to withhold payments to loan-out companies;
- (2) Prohibit the defense of erroneous claim for a refund or credit if the claim was generated by a tax credit and set the penalty for such case to ten percent;
- (3) Require the report by the Department of Business, Economic Development, and Tourism to include the dollar amount claimed, name of the company, and name of the qualified production of the taxpayers claiming the film tax credit;
- (4) Require taxpayers for each qualified production to withhold 4.5 percent of qualified production costs and remit that amount to the Department of Taxation;
- (5) Amend the uses of the Tax Administration Special Fund; and
- (6) Authorize the Department of Taxation to establish four full-time equivalent Tax Auditor positions.



Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; University of Hawai'i System; Tax Foundation of Hawaii; Island Film Group; and one individual.

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. 1982, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1982, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

#### **SCRep. 993-22 Finance on H.B. No. 2082**

The purpose of this measure is to require and appropriate funds for the Department of Business, Economic Development, and Tourism to:

- (1) Promote the acquisition of appropriate patents and copyrights for "Hawaii Made" products; and
- (2) Conduct a study and prepare a plan for the promotion and enforcement of either a "Hawaii Made" or "Made in Hawaii" program and evaluate which name to use.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau. Your Committee received testimony in opposition to this measure from the Hawaii Floriculture and Nursery Association. Your Committee received comments on this measure from the Department of Agriculture; Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Hawaii Cattlemen's Council, Inc.; and Tropical Flowers Express.

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. 2082, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2082, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 994-22 Finance on H.B. No. 2179**

The purpose of this measure is to authorize the Director of Taxation, under certain circumstances, to apply to the circuit court to convert certain tax liens into enforceable civil judgments.

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

Your Committee 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. 2179, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2179, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (McDermott). Noes, none. Excused, 1 (Holt).

#### **SCRep. 995-22 Finance on H.B. No. 2225**

The purpose of this measure is to appropriate funds to the Hawaii Technology Development Corporation for the Hawaii Small Business Innovation Research Program, Manufacturing Assistance Grant Program, and Excelsior Grant Program.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Hawai'i Farm Bureau; Nalu Scientific, LLC; Punahele Provisions, PBC dba Piko Provisions; Hawaii Fish Company Inc.; Hawaii Tech Exchange, 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 appropriations to unspecified amounts;
- (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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2225, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2225, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

#### **SCRep. 996-22 Finance on H.B. No. 2414**

The purpose of this measure is to help alleviate the general excise tax burden on local families and individuals by establishing a general excise tax exemption for the gross proceeds or income from the manufacture, production, packaging, and sale of diapers in the State.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawaii Children's Action Network Speaks!, Hawai'i Diaper Bank, and three individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation 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. 2414, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2414, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Holt).

**SCRep. 997-22 Finance on H.B. No. 2470**

The purpose of this measure is to:

- (1) Establish the Director of Business, Economic Development, and Tourism, or the Director's designee, as an ex officio, voting member of the Hawaii Tourism Authority, Stadium Authority, and School Facilities Authority;
- (2) Transfer the Stadium Authority and School Facilities Authority from the Department of Accounting and General Services and Department of Education, respectively, to the Department of Business, Economic Development, and Tourism;
- (3) Amend the composition of the Stadium Authority;
- (4) Repeal the Stadium Development Special Fund's exemption from the departmental administrative expenses assessment; and
- (5) Increase the amount of general obligation bonds issued for the Stadium Development District.

Your Committee received comments on this measure from the Department of Accounting and General Services; Department of Business, Economic Development, and Tourism; Department of Education; Department of Budget and Finance; School Facilities Authority; Stadium Authority; and Hawai'i Tourism Authority.

Your Committee has amended this measure by:

- (1) Specifying that the Director of Business, Economic Development, and Tourism or the Director's designee shall be an ex officio voting member of the Stadium Authority;
- (2) Removing the increase of the general obligation bonds issued for the Stadium Development District as this provision will be included in the Supplemental Appropriations Act of 2022;
- (3) Transferring the School Facilities Authority from the Department of Education to the Department of Business, Economic Development, and Tourism on July 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the 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. 2470, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2470, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, Sayama).

**SCRep. 998-22 Finance on H.B. No. 1645**

The purpose of this measure is to prohibit lodging establishments from providing small plastic bottles containing personal care products in sleeping room accommodations, within any space within sleeping room accommodations, or within bathrooms used by the public or guests.

Your Committee received testimony in support of this measure from the Surfrider Foundation Hawai'i Region, League of Women Voters of Hawaii, Hawai'i Reef and Ocean Coalition, and fourteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health, Hawai'i Tourism Authority, and Maui Chamber of 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1645, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1645, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, McDermott).

**SCRep. 999-22 Finance on H.B. No. 1800**

The purpose of this measure is to:

- (1) Establish a goal for the statewide greenhouse gas emissions limit to be at least seventy percent below 2005 levels by 2030;
- (2) Require the Director of Health to report the baseline measurement of the 2005 greenhouse gas emissions in the State and to complete a greenhouse gas emissions inventory report each year to track emissions and determine the State's progress in the reduction of greenhouse gas emissions; and
- (3) Require and appropriate funds for the Hawaii State Energy Office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals.

Your Committee received testimony in support of this measure from the Department of Health, County of Maui Department of Environmental Management, Recycle Hawaii and Clean the Pacific, Kauai Climate Action Coalition, Climate Protectors Hawai'i, Kauai Women's Caucus, 350Hawaii.org, Imua Alliance, CTL Clean Future, Sierra Club of Hawai'i, Environmental Caucus of The Democratic Party of Hawai'i, and eighteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Public Utilities Commission, Hawai'i State Energy Office, Blue Planet Foundation, Hawaiian Electric Company, and three individuals.

Your Committee has amended this measure by:

- (1) Changing the goal for the statewide greenhouse gas emissions limit for 2030 from at least seventy percent below 2005 levels to at least fifty percent below 2005 levels; and
- (2) Making technical, 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. 1800, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1800, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (McDermott). Excused, 3 (Eli, Holt, Todd).

#### **SCRep. 1000-22 Finance on H.B. No. 1806**

The purpose of this measure is to require cesspools in the State to be upgraded or converted to a wastewater system approved by the Director of Health before January 1, 2050.

Your Committee received testimony in support of this measure from the Department of Health, Kauai Climate Action Coalition, Hawai'i Reef and Ocean Coalition, WAI: Wastewater Alternatives & Innovations, and one individual. Your Committee received testimony in opposition to this measure from one individual.

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. 1806, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1806, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, Todd).

#### **SCRep. 1001-22 Finance on H.B. No. 1809**

The purpose of this measure is to establish a renewable fuels production tax credit.

Your Committee received testimony in support of this measure from 350Hawaii.org and Biotechnology Innovation Organization. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawaii State Energy Office, Pet Food Institute, Environmental Caucus of the Democratic Party of Hawai'i, Tax Foundation of Hawaii, Hawaii Clean Power Alliance, Climate Protectors Hawai'i, Hawai'i Gas, and one individual.

Your Committee has amended this measure by:

(1) Changing the following amounts to unspecified amounts:

- (A) The annual dollar amount of the renewable fuels production tax credit during the ten-year credit period;
- (B) The maximum amount a taxpayer may claim per taxable year; and
- (C) The total amount of certified tax credits allowed in any 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1809, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1809, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, McDermott).

#### **SCRep. 1002-22 Finance on H.B. No. 1810**

The purpose of this measure is to specify the number of members of the Environmental Advisory Council that constitutes a quorum and the number of votes required to make any action of the Council valid.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Environmental Advisory Council, and one individual. Your Committee received testimony in opposition to this measure from one individual.

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. 1810, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1810, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 1003-22 Finance on H.B. No. 1842**

The purpose of this measure is to establish a Climate Change and Human Health Adaptation Specialist within the Department of Health and appropriate funds for the position and related operating expenses.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by changing the appropriation to an unspecified amount and for an unspecified number of positions to be established.

As affirmed by the record of votes of 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. 1842, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1842, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, McDermott).

#### **SCRep. 1004-22 Finance on H.B. No. 2088**

The purpose of this measure is to:

- (1) Create the Environmental and Economic Development Revolving Loan Fund under the administration of the Hawaii Green Infrastructure Authority;
- (2) Allow property owners to finance qualifying improvements through a non-ad valorem property assessment; and

(3) Appropriate funds to provide loans or other financial assistance to eligible property owners.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Hawaiian Home Lands; Office of Climate Change, Sustainability, and Resiliency of the City and County of Honolulu; Hawai'i Reef and Ocean Coalition; Hawaii Solar Energy Association; PACENation; and WAI: Wastewater Alternatives & Innovations. Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association, Hawaii Credit Union League, Mortgage Bankers Association of Hawaii, and Hawaii Financial Services Association. Your Committee received comments on this measure from the Department of Health, Department of the Attorney General, Department of Commerce and Consumer Affairs, Hawaii Green Infrastructure Authority, Public Utilities Commission, Department of Budget and Fiscal Services of the City and County of Honolulu, Nuveen Green Capital, and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Changing the appropriations 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. 2088, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2088, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, McDermott).

#### **SCRep. 1005-22 Finance on H.B. No. 2255**

The purpose of this measure is to require agencies to:

- (1) Use public benefits fee administrator rebates where available for buildings and facilities; and
- (2) Prioritize building and facility appliances that meet the required standards to qualify for public benefits fee administrator rebates.

Your Committee received testimony in support of this measure from the Hawai'i State Energy Office, Climate Protectors Hawai'i, and Hawai'i Energy.

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2255, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2255, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, McDermott).

#### **SCRep. 1006-22 Finance on H.B. No. 892**

The purpose of this measure is to:

- (1) Clarify the membership requirements for the Law Enforcement Standards Board to facilitate participation and representation;
- (2) Require the Law Enforcement Standards Board to consider studies relevant to its objectives and conduct its own study to evaluate how to satisfy its duties;
- (3) Establish new deadlines for the completion of the Law Enforcement Standards Board's significant responsibilities; and
- (4) Appropriate funds to enable the Law Enforcement Standards Board to accomplish its mission.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Land and Natural Resources, Department of Transportation, Hawai'i Police Department, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Public Safety, and Law Enforcement Standards Board.

Your Committee has amended this measure by:

- (1) Making the amount of the appropriations unspecified;
- (2) Making the number of full-time equivalent positions unspecified;
- (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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 892, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 892, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1007-22 Finance on H.B. No. 1841**

The purpose of this measure is to:

- (1) Increase the rate of compensation and maximum allowable amounts per case for court-appointed counsel and guardians ad litem; and
- (2) Appropriate funds to the Judiciary for the purchase of service contracts, guardian ad litem contracts, and court-appointed counsel contracts.

Your Committee received testimony in support of this measure from the Judiciary, Legal Aid Society of Hawai'i, Hawai'i Access to Justice Commission, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the hourly rates to unspecified amounts;
- (2) Changing the appropriation 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. 1841, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1841, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1008-22 Finance on H.B. No. 2421**

The purpose of this measure is to:

- (1) Establish a three-year Women's Court Pilot Program in the First Circuit of the Judiciary to implement trauma-informed and evidence-based practices, employ gender-responsive programming, collaborate with stakeholders, and provide services to women in the court system;
- (2) Appropriate funds for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions for the Pilot Program; and
- (3) Require the Judiciary to submit annual reports on the Pilot Program throughout its duration.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii State Bar Association, Hawaii Health & Harm Reduction Center, Women's Prison Project, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Making the appropriation amounts, including amounts per position, unspecified; and
- (2) Making technical, 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. 2421, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2421, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1009-22 Finance on H.B. No. 886**

The purpose of this measure is to amend the law relating to personal liability requirements of professionally licensed or certified employees of the State by:

- (1) Clarifying that the State shall be exclusively liable for civil tort claims resulting from the negligent or wrongful act or omission of a professionally licensed or certified employee of the State acting within the course and scope of the employee's office or employment if the State agrees to be fully liable; and
- (2) Precluding civil actions or proceedings for money damages against the employee, except for claims arising from employment with an employer other than the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Human Services, and Hawaii Association for Justice. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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. 886, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 886, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 1010-22 Finance on H.B. No. 1447**

The purpose of this measure is to exempt county lifeguards, the employing counties, and the State from liability for civil damages resulting from any act or omission of the county lifeguard while providing lifeguard services, unless the claim results from a county lifeguard's gross negligence or wanton act or omission.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Mayor of the County of Kaua'i; two members of the Kaua'i County Council; Ocean Safety Bureau of the Kaua'i Fire Department; one member of the Maui County Council; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i State Association of Counties; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice.

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. 1447, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1447, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 1011-22 Finance on H.B. No. 1462**

The purpose of this measure is to clarify the applicable expert witness fees in state criminal cases.

Your Committee received testimony in support of this measure from the Office of the Public Defender, 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 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 H.B. No. 1462, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1462, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 15. Noes, none. Excused, none.

#### SCRep. 1012-22 Finance on H.B. No. 1536

The purpose of this measure is to appropriate supplemental funds for the Judiciary for the fiscal biennium beginning July 1, 2021, and ending on June 30, 2023.

As introduced, this budget appropriates:

	FY 2021-2022	FY 2022-2023
General Funds	164,891,486	164,891,486
All Means of Financing	177,900,433	177,900,433

Your Committee received testimony in support of this measure from the Judiciary, Hawaii County Bar Association, Hawai'i Access to Justice Commission, Appellate Section of the Hawaii State Bar Association, and West Hawai'i Bar Association. Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii State Bar Association, Legal Aid Society of Hawai'i, and Volunteer Legal Services Hawai'i.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

This amended budget appropriates:

	FY 2021-2022	FY 2022-2023
General Funds	164,891,486	165,852,799
All Means of Financing	177,900,433	178,353,683

As affirmed by the record of votes of 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. 1536, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1536, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 15. Noes, none. Excused, none.

#### SCRep. 1013-22 Finance on H.B. No. 1539

The purpose of this measure is to:

- (1) Prohibit a person or an organization from posting the personal information of federal and state judges and other judicial staff on the Internet with the intent to intimidate or threaten injury, harm, or violence to the judge or staff or their immediate family members; and
- (2) Create a Judicial Security Task Force to identify further appropriate measures to enhance the security of judges and judiciary personnel while not diminishing civil liberties or unduly hindering governmental operations.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, and one individual. Your Committee received testimony in opposition to this measure from one individual.

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1539, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1539, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 15. Noes, none. Excused, none.

#### SCRep. 1014-22 Finance on H.B. No. 1690

The purpose of this measure is to require:

- (1) Motor vehicle operators to ensure that children two years of age or younger are properly restrained in rear-facing child passenger restraint systems; and
- (2) The use of child safety seats or booster seats for certain children four years of age or older but less than ten years of age.

Your Committee received testimony in support of this measure from the Honolulu Police Department. Your Committee received comments on this measure from the Department of Transportation, Keiki Injury Prevention Coalition, Kapi'olani Medical Center for Women and Children, and Safe Kids Hawai'i.

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 H.B. No. 1690, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1690, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 3 (Holt, Todd, McDermott).

#### SCRep. 1015-22 Finance on H.B. No. 1870

The purpose of this measure is to appropriate funds for a Program Coordinator and various services to support the Judiciary's 'Ōlelo Hawai'i initiatives.

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

Your Committee has amended this measure by changing the appropriation to an unspecified amount.

As affirmed by the record of votes of 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. 1870, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1870, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 15. Noes, none. Excused, none.

**SCRep. 1016-22 Finance on H.B. No. 2073**

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, and Earthjustice.

Your Committee has amended this measure by:

- (1) Correcting the amount of an existing claim;
- (2) Adding a new resolved claim, as provided in the testimony from the Department of the Attorney General; 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 H.B. No. 2073, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2073, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1017-22 Finance on H.B. No. 1448**

The purpose of this measure is to:

- (1) Authorize each county to:
  - (A) Establish a County Highway Enforcement Program within each county police department;
  - (B) Designate, by ordinance, specific sections of county highways subject to the County Highway Enforcement Surcharge, a copy of which shall be transmitted to the Judiciary each year; and
  - (C) Establish a County Highway Enforcement Program Fund within the County Highway Enforcement Program for the deposit of the County Highway Enforcement Surcharge and related penalties;
- (2) Require annual reports to the Legislature and respective county or city councils on the status and progress of the County Highway Enforcement Program;
- (3) Impose a County Highway Enforcement Surcharge for illegally stopping, standing, or parking vehicles on county highways, to be distributed to county police departments; and
- (4) Require each county's share of any associated penalties to be annually remitted to the respective county police department.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Hawai'i State Association of Counties, and one individual. 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 Judiciary and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Changing the county highway enforcement surcharge 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 H.B. No. 1448, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1448, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

**SCRep. 1018-22 Finance on H.B. No. 1965**

The purpose of this is to:

- (1) Restrict civil asset forfeiture to cases involving the commission of a covered offense where the person exercising some degree of control over the property is charged with an offense related to the property;
- (2) Adopt a higher standard of proof for the State to forfeit property;
- (3) Allow for the transfer of certain property to any local or state government entity, municipality, or law enforcement agency within the State for use for a period of no longer than twelve months, before transferring back to the Attorney General;
- (4) Direct forfeiture proceeds to certain involved state and local governments and to the general fund;
- (5) Amend the allowable expenses for monies in the Criminal Forfeiture Fund;
- (6) Require the Attorney General to adopt rules necessary to carry out the purpose of the Hawaii Omnibus Criminal Forfeiture Act; and
- (7) 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 Americans for Democratic Action Hawaii and Common Cause Hawaii. Your Committee received testimony in opposition to this measure from the Department of Public Safety, Honolulu Police Department, and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Office of Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kaua'i, Department of the Prosecuting Attorney of the County of Maui, and Grassroot Institute of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that this measure does not prevent the seizure of property before the filing of a criminal charge;
- (2) Authorizing the seizure of property from a confidential informant who has not been charged with an offense or if all of the property owners are unknown or cannot be clearly identified;
- (3) Clarifying that a claimant, owner, or interest-holder shall have the same burden of proof as the State in proving that the claimant's, owner's, or interest-holder's interest in the forfeited property is not subject to forfeiture;
- (4) Adopting a higher standard of proof for administrative forfeiture petitions; 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. 1965, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1965, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Holt, Todd).

**SCRep. 1019-22 Finance on H.B. No. 2146**

The purpose of this measure is to:

- (1) Establish a \$25 fee for all licenses to solemnize a marriage, with the fees to be deposited into the general fund;
- (2) Authorize the Department of Health to increase the license fee, subject to certain requirements;
- (3) Require the Department of Health to account for the collection and deposit of the fees into the general fund; and
- (4) Repeal the expiration of and fees specific to civil licenses to solemnize marriages.

Your Committee did not receive any testimony on this measure.

Your Committee has amended this measure by:

- (1) Changing the license fee to an unspecified amount;
- (2) Changing the allowed annual fee increase to an unspecified percentage;
- (3) Changing the effective date to July 1, 2050, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2146, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2146, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1020-22 Finance on H.B. No. 1239**

The purpose of this measure is to enhance the public's trust in law enforcement and standardize best practices between the counties by:

- (1) Amending the Law Enforcement Officer Independent Review Board to:
  - (A) Require members to serve four-year terms; and
  - (B) Make the board permanent; and
- (2) Amending the membership and powers of the Law Enforcement Standards Board and extending certain members' terms to four years.

Your Committee received testimony in opposition to this measure from the State of Hawaii Organization of Police Officers and one individual. Your Committee received comments on this measure from the Department of the Attorney General, Department of Transportation, Law Enforcement Standards Board, and American Civil Liberties Union of Hawai'i.

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. 1239, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1239, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1021-22 Finance on H.B. No. 1827**

The purpose of this measure is to establish the Pulehunui Community Development District on the island of Maui and to establish a board, to be placed in the Hawaii Community Development Authority and attached to the Department of Business, Economic Development, and Tourism for administrative purposes, to manage the district.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Land and Natural 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1827, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1827, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, 1 (Wildberger). Excused, 1 (Branco).

**SCRep. 1022-22 Finance on H.B. No. 2446**

The purpose of this measure is to:

- (1) Appropriate funds for the Department of Land and Natural Resources for twenty-eight full-time equivalent positions in Parks Administration and Operation to implement a visitor reservation system in Hawaii's state parks; and
- (2) Appropriate funds out of the State Parks Special Fund to be expended by the Department of Land and Natural Resources for the management of Hawaii's state parks.



Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Hawai'i Tourism Authority, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the appropriations to unspecified amounts;
- (2) Changing the positions to be established to an unspecified number; 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. 2446, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2446, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (Branco).

#### **SCRep. 1023-22 Finance on H.B. No. 1721**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources and Department of Agriculture to collaborate on feral animal management; and
- (2) Appropriate funds for a Natural Resources Management Specialist position related to feral animal management.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Maui County Council; Ulupono Initiative; Hawai'i Farm Bureau; Maui County Farm Bureau; Hawaii Cattlemen's Council, Inc.; and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii County Game Management Advisory Commission and three individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Maui Chamber of Commerce, 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. 1721, 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. 1024-22 Finance on H.B. No. 1840**

The purpose of this measure is to:

- (1) Authorize the appropriate county land use decision-making authority to determine district boundary amendments involving land areas over fifteen acres but equal to or less than fifty acres according to a process to be determined by each county and subject to certain conditions, including the condition that the district boundary amendment is necessary to produce housing, sixty percent of which shall be reserved for occupants whose incomes do not exceed eighty percent of the area median income; and
- (2) Prohibit the subdivision of such lands into two or more parcels to be reclassified within a ten-year period from the date of the subdivision.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Mayor of the County of Maui, County of Maui Department of Planning, County of Hawai'i Planning Department, and Building Industry Association of Hawaii. Your Committee received testimony in opposition to this measure from one member of the Hawai'i County Council, Land Use Commission, Sierra Club of Hawai'i, Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, and two individuals. Your Committee received comments on this measure from the Department of Agriculture, County of Hawai'i Office of the Corporation Counsel, City and County of Honolulu Department of Planning and Permitting, and Grassroot Institute of Hawaii.

Your Committee has amended this measure by:

- (1) Removing the contested case hearing exemption for final action on an application for a district boundary amendment;
- (2) Requiring that all district boundary amendments involving land areas greater than fifteen acres and equal to or less than fifty acres, processed by a county decision-making authority are subject to review and approval by the Land Use Commission;
- (3) Specifying that the Land Use Commission may impose additional restrictions in its approval of district boundary amendments by a county decision-making authority;
- (4) Specifying the Land Use Commission's parameters in its review of district boundary amendments; 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. 1840, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1840, H.D. 2.

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. 1025-22 Finance on H.B. No. 2511**

The purpose of this measure is to establish the Hawaiian Home Lands Special Fund and appropriate \$600,000,000 to enable beneficiaries of the Hawaiian home lands trust to acquire a residence and to enable the Department of Hawaiian Home Lands to fulfill its fiduciary duties to beneficiaries.

Your Committee received testimony in support of this measure from the one member of the Office of Hawaiian Affairs Board of Trustees; State Council on Developmental Disabilities; two members of the Maui County Council; Catholic Charities Hawai'i; Maika'i Kamakani 'O Kohala, Incorporated; Hawaiian Affairs Caucus of the Democratic Party of Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; Family Promise of Hawaii; Hawai'i Alliance for Community-Based Economic Development; Council for Native Hawaiian Advancement; 'Ōhi'a Technology Group; Spoehr Foundation; Hawaii Habitat for Humanity Association; The Mama Loa Foundation; Waimea Hawaiian Civic Club; Papa Ola Lokahi; 'Aha Pūnana Leo; Napualei O Hina; Native Hawaiian Chamber of Commerce; Kua'āina Ulu 'Auamo; 'Aha Ho'ona'auao 'Ōiwi Hawai'i Native Hawaiian Education Council; Kamehameha Schools; Hawai'i Community Lending; Hawaiian Community Assets; Kanaeokana; Boys & Girls Club of Hawaii; Iolani Palace; The Queen's Health Systems; 'Ahahui o nā Kauka; Aloha 'Āina Legal Group LLC; Wai'anae Economic Development Council; Kawaiaha'o Church; Hawai'i Appleseed Center for Law & Economic Justice; Maui/Lana'i Mokupuni Council; Ohana Program Foundation; and numerous 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 Hawaiian Home Lands, Department of Budget and Finance, one member of the Hawai'i County Council, League of Women Voters of Hawaii, Ko'olau Foundation, Tax Foundation of Hawaii, and four individuals.

Your Committee has amended this measure by:

- (1) Deleting the establishment of, and appropriation of funds into and out of, the Hawaiian Home Lands Special Fund;
- (2) Appropriating \$600,000,000 into and out of the Native Hawaiian Rehabilitation Fund for the Department of Hawaiian Home Lands to fulfill its fiduciary duties to beneficiaries, specifying the authorized uses of the funds, and requiring the Department of Hawaiian Home Lands to submit an annual report to the Legislature on the use of the funds; 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. 2511, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2511, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1026-22 Finance on H.B. No. 2510**

The purpose of this measure is to:

- (1) Make the state Earned Income Tax Credit refundable and permanent and allow carrying forward of nonrefundable credits previously claimed;
- (2) Increase and amend the refundable Food/Excise Tax Credit;
- (3) Increase the minimum wage rate incrementally beginning on January 1, 2023, up to \$18.00 per hour beginning January 1, 2030, and increase the tip credit over the same period;
- (4) Require the Department of Labor and Industrial Relations to annually adjust the minimum wage rate and tip credit beginning on July 1, 2030;
- (5) Amend the Household and Dependent Care Tax Credit to apply to expenses paid for the care of a qualifying individual, regardless of age; and
- (6) Increase the cap on revenues that may be deposited into the Tax Administration Special Fund, authorize the fund to also be used for outreach to educate low-wage earners about their withholding options and to provide support when completing their withholding forms, and appropriate funds for this outreach.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Rainbow Family 808, and seven individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Workers Center, American Association of University Women of Hawaii, Hawai'i Health & Harm Reduction Center, Hawaii Clubhouse Advocacy Coalition, Democratic Party of Hawaii Labor Caucus, Pono Hawai'i Initiative, RaiseUp Hawaii Coalition, Kanalani Ohana Farm, Hawai'i Alliance for Progressive Action, HOPE Services Hawai'i, Iron Workers Stabilization Fund, IATSE Local 665, Imua Alliance, Democratic Party of Hawai'i Education Caucus, National Federation of Independent Business, UNITE HERE! Local 5 Hawaii, Our Revolution Hawaii, Raise Up Hawaii Kauai, Society of Human Resource Management Hawaii, Hawaiian Chip Company, and numerous individuals.

Your Committee received comments on this measure from the Department of Taxation; Department of Labor and Industrial Relations; Department of Budget and Finance; Hawai'i Restaurant Association; Faith Action for Community Equity; Americans for Democratic Action of Hawai'i; Tax Foundation of Hawaii; Retail Merchants of Hawaii; Stonewall Caucus of the Democratic Party of Hawai'i; Hawaii Children's Action Network Speaks!; Grassroot Institute of Hawaii; Hawaii Petroleum Marketers Association; United Public Workers, AFSCME Local 646, AFL-CIO; Living Wage Hawaii; Hawaii Food Industry Association; Kauai Women's Caucus; Maui Chamber of Commerce; Hawai'i State AFL-CIO; Chamber of Commerce Hawaii; Hawai'i Lodging & Tourism Association; Hawai'i Public Health Institute; Hawaii Appleseed Center for Law & Economic Justice; League of Women Voters of Hawaii; and numerous individuals.

Your Committee has amended this measure by:

- (1) Increasing the minimum wage rate to \$13.00 beginning on January 1, 2023, and incrementally up to \$18.00 per hour beginning January 1, 2028, and increasing the tip credit over the same period;
- (2) Removing the provisions amending the refundable Food/Excise Tax Credit and Household and Dependent Care Tax Credit;
- (3) Removing the provisions that require the Department of Labor and Industrial Relations to annually adjust the minimum wage rate and tip credit beginning on July 1, 2030;
- (4) Removing the provisions that increase the cap on revenues that may be deposited into the Tax Administration Special Fund, authorize the fund to also be used for outreach to educate low-wage earners about their withholding options and to provide support when completing their withholding forms, and appropriate funds for this outreach;
- (5) Making it effective upon its approval; 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 H.B. No. 2510, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2510, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso, Tam, Wildberger). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1027-22 Finance on H.B. No. 1600**

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.

Testimony received for this measure can be found at the Legislature's website at: <http://www.capitol.hawaii.gov/>.

The Administration submitted an operating and capital improvement project (CIP) budget that totaled:

<u>Operating</u>	<u>FY 2021-2022</u>	<u>FY2022-2023</u>
General Funds:	\$7,424,917,404	\$8,443,505,275
All Means of Financing:	\$15,718,266,537	\$16,668,961,012
<u>Capital Improvement</u>	<u>FY 2021-2022</u>	<u>FY2022-2023</u>
General Obligation Bonds:	\$990,124,000	\$1,123,989,000
All Means of Financing:	\$1,644,285,000	\$2,717,505,000

Upon consideration, your Committee has amended this budget to appropriate the following in operating and CIP funds:

<u>Operating</u>	<u>FY 2021-2022</u>	<u>FY2022-2023</u>
General Funds:	\$7,424,917,404	\$8,325,226,021
All Means of Financing:	\$15,718,266,537	\$16,408,372,098
<u>Capital Improvement</u>	<u>FY 2021-2022</u>	<u>FY2022-2023</u>
General Obligation Bonds:	\$990,124,000	\$1,353,420,000
All Means of Financing:	\$1,644,285,000	\$3,168,172,000

Your Committee finds that total funding provided by the federal government for Hawaii between 2020 and 2024 will be \$21,809,421,000. The funding is for various programs to support individuals, families, businesses, and government. This federal action has been a key factor in the swift recovery of state level revenues in the current fiscal year. Between March 2021 and January 2022 the tax revenue projection for the State dramatically changed. Instead of a \$5,000,000,000 revenue shortfall between FY 2019-2020 and FY 2022-2023, the State is expecting a \$4,000,000,000 revenue increase over the same period.

Your Committee has determined that this revenue projection provides an unprecedented opportunity to take a strategic and forward-thinking approach to develop a budget that balances fundamental structural base reform with high priority investments to rebuild programs for a stronger, more resilient future.

Your Committee proposes a budget that takes a holistic approach to stabilize and enhance critical services and programs. Some of these enhancements include:

- Pre-school and early childhood education facilities and programs;
- Post-partum care and services;
- Family planning program assistance;
- Special education support;
- Child welfare services program enhancements;
- Long-Term Care Ombudsman program expansion to all islands;
- Re-entry programs and support services for women at the Women's Community Correctional Center's Intake Center;
- Home and community-based services;
- Mental health services for youth and adults suffering in crises in correction environments;
- Rapid Ohia Death response;
- Expenses for the Kahoolawe Island Reserve;
- Park maintenance and destination management;
- Aquaculture and coral nursery initiatives;
- Invasive pest species, such as the coffee berry borer beetle, spittle bug, and Japanese beetle mitigation efforts;
- The mission of the Bishop Museum;
- Special investigation and prosecution unit;
- Expansion of broadband services;
- Completion of the tax system modernization project;
- Replacement of Wiki Wiki buses and buses at the Daniel K. Inouye International Airport;
- The Promise Program at the community colleges, UH Manoa, Hilo, and West Oahu.

By appropriating a total of \$824,033,260 more in general funds across all departments, and utilizing enormous support from the federal government, this budget restores funding and provides an opportunity to rebuild programs, strengthen core services, restore transparency, and restructure how services are delivered.

As affirmed by the record of votes of 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. 1600, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1600, 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. 1028-22 Water & Land/Agriculture on H.C.R. No. 17**

The purpose of this measure is to request the Department of Land and Natural Resources to convene a task force to develop a feral ungulate management plan for West Hawaii island and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days before the convening of the Regular Session of 2024.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; Hawai'i Forest Industry Association; Big Island Invasive Species Committee; Hawai'i Wildlife Fund; Hui Aloha Kīholo; and three individuals. Your Committees received comments on this measure from the Department of Agriculture.

Your Committees find that the populations of feral goats and pigs in West Hawaii island have increased to sizes that cannot be sustained by the environment and that the overpopulation of feral ungulates in West Hawaii causes damage to agriculture, the environment, businesses, cultural sites, and residential areas and creates major hazards on roadways. This measure seeks to address the rapid population growth of feral ungulates in West Hawaii in an inclusive manner, inviting a wide variety of stakeholders to the table in hopes of arriving at a comprehensive solution.

As affirmed by the records of votes of the members of your Committees on Water & Land and Agriculture that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 17 and recommend that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.  
Water & Land: Ayes, 8. Noes, none. Excused, none.

Agriculture: Ayes, 8. Noes, none. Excused, none.

**SCRep. 1029-22 Water & Land on H.C.R. No. 3**

The purpose of this measure is to authorize the Board of Land and Natural Resources to issue an amendment to the term, non-exclusive easement covering an additional portion of state submerged lands fronting the property identified as Tax Map Key: (1) 3-6-003:015, Wailupe, Honolulu, Oahu, for the existing seawall, and for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

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

Your Committee notes that the Department of Land and Natural Resources testified that after the discovery of an additional sixteen square foot encroachment in 2007, the Department initially explored canceling the easement and selling the reclaimed land area to the easement holder in fee, along with an easement for only the submerged land area. However, due to changes in law and departmental policy, the sale of the reclaimed land was never completed and eventually abandoned. The original easement continues to remain in effect and unamended since its initial execution.

Your Committee has amended this measure by:

- (1) Clarifying that this measure authorizes the addition of a portion of state submerged lands to a term, non-exclusive easement covering a portion of state reclaimed lands;
- (2) Amending its title accordingly; 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. 3, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 3, H.D. 1.

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

**SCRep. 1030-22 Water & Land on H.C.R. No. 4**

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 fronting the property identified as Tax Map Key: (1) 4-7-001:006, Kahaluu, Koolaupoko, Oahu, for the existing seawall, steps, and filled land, and for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

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

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources (Board) to obtain prior authorization from the Legislature and prior approval of the Governor to dispose of state submerged lands. The Board identified an existing seawall, steps, and filled land fronting the property identified as Tax Map Key: (1) 4-7-001:006, Kahaluu, Koolaupoko, Oahu, as encroaching upon state submerged lands and on February 8, 2019, approved a grant of a twenty-five-year, non-exclusive easement to resolve the existing encroachments. Your Committee further finds that this measure expresses the requisite legislative approval so that an easement may be issued for the continued use of those 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. 4 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. 1031-22 Water & Land on H.C.R. No. 5**

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 fronting the property identified as Tax Map Key: (1) 4-4-016:016, Kaneohe, Koolaupoko, Oahu, for the existing pier, house, rock wall, and landscape area, and for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

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

Your Committee finds that the existing pier, and portions of the existing house, rock wall, and landscape area fronting the property identified as Tax Map Key: (1) 4-4-016:016 were built makai of the private property on state lands, a portion of which is submerged. The entire pier was built on state submerged lands, while portions of the house, rock wall, and landscape are on state "fast" lands. State "fast" lands are land areas that are located between the shoreline and private property and are not subject to legislative authorization or the Governor's approval for disposition, but state submerged lands are subject to legislative authorization and the Governor's approval. However, since a single easement will cover the submerged and fast land encroachments, all encroachments are described in this measure.

Your Committee finds that section 171-53, Hawaii Revised Statutes, requires the Board of Land and Natural Resources to obtain prior authorization from the Legislature and prior approval of the Governor to dispose of state submerged lands. This measure expresses the requisite legislative approval for disposition of these 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. 5 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. 1032-22 Water & Land on S.B. No. 204**

The purpose of this measure is to authorize the Department of Land and Natural Resources to use aquatic in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources where a person is required to provide compensatory mitigation either:

- (1) Prospectively, and the use of in-lieu fee mitigation is approved by the agency requiring mitigation; or
- (2) For past damages to aquatic habitats or resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Mahikū A'ō Mai, LLC.

Your Committee finds that natural resource management 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 but has seen increasing national interest for use in improving coral reefs, sea grass, and estuarine habitats. The authority granted to the Department of Land and Natural Resources in this measure would allow Hawaii to become the first state in the nation to establish in-lieu fee mitigation for coral reefs.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 204, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 204, 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. 1033-22 Water & Land on S.B. No. 573**

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 of the Hawai'i County Council, Hawai'i Wildlife Center, Center for Biological Diversity, Save Our Shearwaters, and thirteen individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that providing emergency medical and rehabilitative services to native wildlife that have been affected by activities within a habitat 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 S.B. No. 573, 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. 1034-22 Water & Land on S.B. No. 2056**

The purpose of this measure is to require, and appropriate funds for, the Office of Planning and Sustainable Development to conduct a study of the suitability of soil classification systems, including the soil overall (master) productivity rating system and detailed land classification of the Land Study Bureau, for the regulation of agricultural lands by the State and counties and submit a report to the Legislature.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii State Energy Office, Office of Planning and Sustainable Development, University of Hawai'i, and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance and Land Use Commission.

Your Committee finds that the last statewide soil mapping, classification, and characterization study was completed fifty years ago when plantation sugar cane and pineapple production dominated Hawaii agriculture. To help optimize public and private investments in agriculture and meet Hawaii's food and agricultural sustainability goals, accurate soil data is needed. However, as soil classification alone may not be a sufficient indicator of land arability or suitability for agriculture, the study proposed by this measure could examine other factors to consider in the regulation of agricultural 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 S.B. No. 2056, S.D. 1, 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, 8. Noes, none. Excused, none.

#### **SCRep. 1035-22 Water & Land on S.B. No. 1411**

The purpose of this measure is to:

- (1) Define "pre-contact historic property";
- (2) Clarify that the Historic Preservation Program includes providing consultation to counties and public and private agencies involved in historic preservation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board; and
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements and make landowners or developers responsible for projects where violations are found liable for costs associated with mitigation or preservation measures.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Hawaii State Aha Moku, Kupuna Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committee received comments on this measure from the Historic Hawai'i Foundation.

Your Committee finds that Hawaii's historic preservation laws were enacted to ensure that invaluable historic sites and archaeological resources are given appropriate consideration when they may be impacted by development activities. The existing penalties for violations of the historic preservation laws are far less than the costs of complying with historic preservation review and protecting potential historic property, such as iwi and burial sites. This measure serves to increase compliance with historic property laws and act as a deterrent to violations.

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. 1411, 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, 8. Noes, none. Excused, none.

**SCRep. 1036-22 Water & Land on S.B. No. 2799**

The purpose of this measure is to:

- (1) Transfer lands to the Department of Land and Natural Resources and establish that land and adjacent state-owned lands as the Kaiwi Coast State Park;
- (2) Establish positions within the Department of Land and Natural Resources for management of the Kaiwi Coast State Park; and
- (3) Appropriate funds for these purposes.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Environmental Caucus of the Democratic Party of Hawai'i, Sierra Club of Hawai'i, Surfrider Foundation, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Livable Hawaii Kai Hui.

Your Committee finds that a growing interest in the Kaiwi Coast has brought a rapid increase in visitors to the area and without proper management, the area may become overrun by invasive species and commercial interests or become subject to future development. This measure aims to protect and preserve the lands of the Kaiwi Coast by establishing the Kaiwi Coast State Park for the benefit of residents and future generations.

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. 2799, 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, 8. Noes, none. Excused, none.

**SCRep. 1037-22 Water & Land on S.B. No. 570**

The purpose of this measure is to amend the definition of "historic property" under the Historic Preservation Law.

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 Sierra Club of Hawai'i. Your Committee received comments on this measure from the Office of Hawaiian Affairs, one member of the Honolulu City Council, and Historic Hawai'i Foundation.

Your Committee finds that the existing 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 based simply on their age.

Your Committee has amended this measure by further amending the definition of "historic property" to mean any building, structure, object, district, area, or site, including heiau and underwater site, that is over one hundred years old, or any building, structure, district, area, or site that is over fifty years old and that meets the criteria for being entered into the Hawaii Register of Historic Places.

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. 570, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 570, 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. 1038-22 Water & Land on S.B. No. 3251**

The purpose of this measure is to require that hunting guides:

- (1) Obtain written permission from private landowners or appropriate persons before taking their clients to hunt on private lands; and
- (2) Submit a copy of the written permission documents to the Department of Land and Natural Resources as part of their annual reports.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Maui Chamber of Commerce; and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that guided hunting tours help manage game populations, provide a living wage for hunting guides, and help drive the State's economy. However, instances of hunting tours traversing private land without permission have led to concerning and potentially dangerous scenarios. This measure seeks to prevent the occurrence of these perilous situations.

Your Committee has amended this measure by:

- (1) Requiring all hunters to obtain written permission from private landowners or other appropriate persons before hunting on private lands;
- (2) Requiring hunting guides to file the written permission with the Department of Land and Natural Resources' Division of Forestry and Wildlife, as part of the hunting guide licensing process;
- (3) Requiring hunters, including hunting guides, to carry a copy of the written permission with them when hunting on private lands; 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. 3251, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3251, S.D. 1, H.D. 1, and be referred to your Committee on Agriculture.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1039-22 Water & Land on S.B. No. 2764**

The purpose of this measure is to expand exclusions from the definition of "development" as it applies to special management areas to reduce the need for special management area permits for certain activities.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, Office of Planning and Sustainable Development, Department of Planning and Permitting of the City and County of Honolulu, and Planning Department of the County of Hawai'i.

Your Committee finds that the existing law governing special management areas does not exempt actions that are typically conducted by government agencies and conservation organizations for public benefit projects, such as constructing sidewalks, adding bicycle lanes, or controlling invasive vegetation. This measure will support government and private-sector activities that benefit the people of Hawaii by reducing regulatory hurdles for completion of these activities.

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. 2764, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2764, 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. 1040-22 Labor & Tourism on S.B. No. 2644**

The purpose of this measure is to:

- (1) Extend until June 30, 2033, Act 65, Session Laws of Hawaii 2013, as extended by Act 60, Session Laws of Hawaii 2018, which provides a limited licensing exemption allowing electrical contractors licensed in Hawaii to use qualified individuals who are not licensed in the State to perform high voltage electrical work in certain circumstances; and
- (2) Make permanent the requirement for the Board of Electricians and Plumbers to submit to the Legislature annual reports relating to high voltage electrical work.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Inc.; and International Brotherhood of Electrical Workers, Local Union 1260. Your Committee received testimony in opposition to this measure from the Department of Labor and Industrial Relations; Board of Electricians and Plumbers; Contractors License Board; and International Brotherhood of Electrical Workers, Local Union No. 1186.

Your Committee finds that this measure will assist the State in making its infrastructure more resilient by ensuring high voltage (six hundred volts or higher) electrical workers are available to construct and maintain lines and perform needed substation work. However, your Committee recognizes concerns that the exemption not be applied too broadly, and finds that a limitation on the type of work to be performed should apply.

Your Committee also finds that the Department of Labor and Industrial Relations should not be required to receive and monitor certifications relating to the unavailability of qualified and licensed in-state high voltage electrical workers because the Department no longer has a Research and Statistics Office and therefore lacks the capacity to certify occupational shortages.

Accordingly, your Committee has amended this measure by:

- (1) Limiting the exemption to use by a public utility for high voltage electrical workers who perform electric transmission and distribution line construction, maintenance, and substation work;
- (2) Deleting the requirement that the public utility certify to the Director of Labor and Industrial Relations that, after a hiring call, no electrician sufficiently qualified and licensed in the State to perform high voltage electrical work applied to timely perform or complete the necessary job or task before the public utility recruited qualified electricians outside the State, so that the public utility is required to make the certification to the Board of Electricians and Plumbers only; 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. 2644, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2644, 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. 1041-22 Labor & Tourism on S.B. No. 3128**

The purpose of this measure is to amend the definition of "adequate reserve fund" for calendar years 2023 through 2030 to exclude the benefit cost rate from June 2020 through August 2021.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaii Food Industry Association, and Maui Chamber of Commerce. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the calculation of the Adequate Reserve Fund is designed to ensure that there are sufficient reserves in the Unemployment Compensation Trust Fund to pay unemployment insurance benefits. Your Committee further finds that this measure will allow contributory employers to replenish the Unemployment Compensation Trust Fund and help to reestablish the fund's integrity without facing the highest contribution schedules in future years as Hawaii's economy continues to recover from the coronavirus disease 2019 pandemic.

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. 3128, 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 (Quinlan).

#### **SCRep. 1042-22 Labor & Tourism on S.B. No. 3142**

The purpose of this measure is to add reserve public safety law enforcement officers to the volunteer occupations covered by the workers' compensation law under certain conditions.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and one individual.

Your Committee finds that this measure will assist the Department of Public Safety in augmenting its cadre of reserve volunteer law enforcement officers and increase law enforcement to better protect the community. The Department of Public Safety intends to begin a volunteer enforcement program that will recruit recent retirees from the Department and members of the public to assist with the Department's law enforcement responsibilities. This measure would

provide coverage for injuries under specified conditions when incurred in the line of duty.

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. 3142, 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. 1043-22 Labor & Tourism on S.B. No. 3126**

The purpose of this measure is to:

- (1) Require the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector;
- (2) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors in the exclusive employment of owner-user inspection organizations to perform safety inspections on pressure retaining items; and
- (3) Extend the time for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund from ten to thirteen years.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Hawaiian Electric Company, Inc.; and Par Hawaii.

Your Committee finds that this measure will allow the Department of Labor and Industrial Relations to augment its ability to inspect and assure the safe operation of boiler pressure vessels and pressure systems in the State. This measure will also ensure that owner-user inspectors, who are certified to the same standards as insurance company inspectors and the State's jurisdictional inspectors, are readily available for inspections and consultations.

Your Committee also finds that the three-year extension of time for the Department of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund will help to ensure that safety operations can continue while maintaining a feasible repayment schedule for the Department. Your Committee notes that the Department of Labor and Industrial Relations has deposited \$750,000 toward the reimbursement of the \$1,000,000 loan from the general fund.

Your Committee has amended this measure by:

- (1) Placing the Director of Labor and Industrial Relations' responsibility to appoint a Chief Boiler and Pressure Vessel Inspector under the powers and duties of the Department, rather than creating a standalone section in the Hawaii Revised Statutes establishing the position;
- (2) Deleting as unnecessary the definition of "chief boiler inspector";
- (3) Amending the definitions of "exclusive employment" and "owner-user inspection organization" to comport with national consensus standards and streamline compliance with National Board of Boiler and Pressure Vessel Inspectors regulations; 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. 3126, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3126, 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. 1044-22 Water & Land on S.B. No. 3298**

The purpose of this measure is to establish a working group to determine potential locations and requirements for a shooting facility on the island of Hawaii and to appropriate monies for the shooting facility if the County of Hawaii provides matching funds.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii County Game Management Advisory Commission, Hawaii Firearms Coalition, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure will lay the foundation to provide a safe and organized place on the island of Hawaii to learn firearms safety, develop hunting skills, train law enforcement officers, and practice recreational shooting.

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. 3298, 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. 1045-22 Water & Land on S.B. No. 3379**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for a ports-of-entry biosecurity program.

Your Committee received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Department of Transportation, Hawai'i Forest Industry Association, Hawai'i Farm Bureau, and one individual. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that invasive species pose the biggest threat to Hawaii on many fronts and strengthening biosecurity is a good investment for the State. This measure will help to prevent the introduction of invasive species into the State and protect the State's economy, natural resources, and public health.

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. 3379, 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. 1046-22 Water & Land on S.B. No. 3134**

The purpose of this measure is to streamline the process for completing the Department of Land and Natural Resources' required annual payment of debt service on the reimbursable general obligation bonds that financed the Turtle Bay conservation easement.

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

Your Committee finds that section 173A-13, Hawaii Revised Statutes, currently requires the Department of Land and Natural Resources to complete a cumbersome annual grant application and award process before the Department can make its required annual debt service payment. This measure streamlines the process by allowing the Department to process the required annual payment without taking costly intervening 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 is in accord with the intent and purpose of S.B. No. 3134, 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. 1047-22 Water & Land on S.B. No. 3377**

The purpose of this measure is to prohibit any person from presetting commercial beach equipment on beaches encumbered with easements in favor of the public unless the customer is physically present.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, and one individual. Your Committee received comments on this measure from two individuals.

Your Committee finds that in some areas of the State, beach access is frequently hindered by unrented preset commercial beach equipment, such as beach chairs and umbrellas. This measure increases access to Hawaii's beaches for all beachgoers by prohibiting the presetting of commercial beach equipment on public beaches unless the customer is physically present.

Your Committee has amended this measure by:

- (1) Prohibiting any person from presetting commercial beach equipment on any public beach under the jurisdiction of the Department of Land and Natural Resources, not only beaches encumbered with easements in favor of the public, unless the customer is physically present;
- (2) Requiring commercial vendors to expeditiously remove the commercial beach equipment after the customer has finished using it;
- (3) Allowing the Department of Land and Natural Resources to authorize exemptions through rules adopted pursuant to chapter 91, Hawaii Revised Statutes;
- (4) Establishing administrative fines for violations of paragraphs (1) and (2); 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 S.B. No. 3377, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3377, 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. 1048-22 Energy & Environmental Protection on S.B. No. 3192**

The purpose of this measure is to:

- (1) Establish a visitor impact fee program to collect fees to allow visitors to visit state-owned natural areas on state-owned land;
- (2) Establish the Environmental Legacy Commission to allocate the revenues from the visitor impact fee to protect and manage Hawaii's natural resources; and
- (3) Establish and appropriate funds into and out of the Visitor Impact Fee Special Fund.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Tourism Authority; Mahiku A'o Mai; Hawai'i Alliance for Community-Based Economic Development; Hawai'i Alliance for Progressive Action; Kua'āina Ulu 'Auamo; Wild Kids; The Nature Conservancy – Hawai'i and Palmyra; Resources Legacy Fund; Hawai'i Reef and Ocean Coalition; Surfrider Foundation, Hawai'i Region; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Sustainable Coastlines Hawai'i; Hawai'i Lodging & Tourism Association; Maui Hotel & Lodging Association; Ka Leo O Nā 'Ōpio; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Tax Foundation of Hawaii, and one individual.

Your Committee finds that Hawaii's natural resources, including reefs, beaches, oceans, forests, streams, estuaries, and shorelines, provide irreplaceable and invaluable benefits to visitors and the global community at large. However, Hawaii's natural environment faces significant pressure from heavy use due to tourism. Collecting fees paid by visitors who enjoy Hawaii's public parks, beaches, and trails could generate funding each year to offset the adverse impacts of visitors and provide additional resources to restore, enhance, and protect, in perpetuity, Hawaii's state-owned natural resources.

Your Committee notes that an appropriate visitor impact fee should be no less than \$25 and believes this issue merits further discussion by your Committee on Labor and Tourism and your Committee on Finance.

Your Committee has amended this measure by:

- (1) Clarifying that a valid school identification card used to establish residency in the State must be from a school in Hawaii;
- (2) Specifying that the Chairperson of the Board of Land and Natural Resources may increase the visitor impact fee by rule no more frequently than once every five years; 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. 3192, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3192, 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, 7. Noes, none. Excused, 1 (Matayoshi).

**SCRep. 1049-22 Energy & Environmental Protection on S.B. No. 2070**

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist the Hawaiian Legacy Reforestation Initiative in generating a sustainable model of endemic reforestation, ecosystem revitalization, endangered species recovery, and carbon credit sequestering.

Your Committee received testimony in support of this measure from Wilkinson Koa Furniture, Ponsse Plc, Hawaiian Legacy Reforestation Initiative, 'Alohilani Resort Waikiki Beach, Embassy Suites Waikiki Beach Walk, The Kahala Hotel & Resort, Hawai'i Convention Center, and seven individuals. Your Committee received testimony in opposition to this measure from 350Hawaii.org. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Planning and Sustainable Development.

Your Committee finds that the planting of native trees in Hawaii will provide a myriad of benefits, including reducing climate change, purifying the air, preventing excess evaporation, preventing water runoff by helping rainwater enter the soil, providing habitats for wildlife, reinforcing the soil, controlling erosion, and providing cultural benefits. This measure supports efforts to further promote environmental protection, biodiversity, and climate change mitigation and restore the natural ecosystem in the State.

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. 2070, 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 (Matayoshi).

**SCRep. 1050-22 Energy & Environmental Protection on S.B. No. 2612**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a reusable utensil pilot project at Department of Education schools on the island of Molokai; and
- (2) Require the Department of Education to submit interim and final reports to the Legislature on the feasibility of statewide implementation of a reusable utensil program.

Your Committee received testimony in support of this measure from the Department of Education, Kualapu'u Public Conversion Charter School, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that single-use plastic utensils used in Department of Education schools are major contributors to plastic waste in the State. Even recyclable plastics require extensive processing and must be shipped out-of-state for recycling at great cost. This measure establishes a pilot project for Molokai's Department of Education schools to explore the use of reusable utensils in school cafeterias and reduce single-use plastic waste in the State.

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. 2612, S.D. 2, 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, 7. Noes, none. Excused, 1 (Matayoshi).

**SCRep. 1051-22 Energy & Environmental Protection on S.B. No. 3195**

The purpose of this measure is to appropriate funds to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Energy Office, Sustainable Energy Hawai'i, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that geothermal technology facilitates the generation of power from heat and energy found below the Earth's surface. However, since geothermal investigation, exploration, and identification can be costly, the State can play a critical role in supporting the development of geothermal resources as an alternative form of renewable energy to achieve the State's goal of transitioning to one hundred percent renewable energy generation statewide.

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. 3195, 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 (Matayoshi).

**SCRep. 1052-22 Energy & Environmental Protection on S.B. No. 3229**

The purpose of this measure is to:

- (1) Cap the amount of royalties from geothermal resources that are to be paid to the State and to the county in which the geothermal resources are located;
- (2) Establish and appropriate funds out of the University of Hawaii Geothermal Exploration Special Fund for the Hawaii Groundwater and Geothermal Resources Center to further the discovery and development of geothermal resources;
- (3) Provide for the deposit of certain royalties into the University of Hawaii Geothermal Exploration Special Fund; and
- (4) Require the entities that receive geothermal royalties to submit an annual report to the Legislature.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawaii Groundwater and Geothermal Resources Center, Sustainable Energy Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii State Energy Office.

Your Committee finds that geothermal technology facilitates the generation of power from heat and energy found below the Earth's surface and the development of geothermal resources will be important for achieving the State's goal of transitioning to one hundred percent renewable energy generation statewide. This measure provides further resources for the advancement of geothermal discovery and development and enables the State to achieve its clean energy goals.

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. 3229, S.D. 2, and recommends that it pass Second Reading 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 (Matayoshi).

#### **SCRep. 1053-22 Energy & Environmental Protection on S.B. No. 2998**

The purpose of this measure is to require 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 certain distributors and redemption centers for audit.

Your Committee received testimony in support of this measure from the Department of Health, County of Hawai'i Department of Environmental Management, and American Beverage Association.

Your Committee finds that the Office of the Auditor conducts a financial and program audit of the Deposit Beverage Container Program every other year. Time after time, these audits demonstrate the program's failure to develop and execute procedures to verify the accuracy and completeness of data used to support claims of the deposit and container fees paid to the program by the distributors, as well as deposits and handling fees paid to the redemption centers. This measure helps improve the transparency and accountability of the Deposit Beverage Container Program.

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. 2998, 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. 1054-22 Energy & Environmental Protection on S.B. No. 2290**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (3) Beginning July 1, 2023, ban the manufacture of non-prescription drug products in the State that contain plastic microbeads;
- (4) Beginning July 1, 2024, ban the sale or offer for sale of non-prescription drugs in the State that contain plastic microbeads; and
- (5) Provide exemptions for rinse-off cosmetics that are also non-prescription drugs regulated under the federal Microbead-Free Waters Act of 2015.

Your Committee received testimony in support of this measure from the Department of Health, Zero Waste Hawaii Island, Hawaii Island "Reef Keepers" Hui, Hawai'i Reef and Ocean Coalition, Friends of Hanauma Bay, Center for Biological Diversity, and five individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii and Hawaii Food Industry Association.

Your Committee finds that plastic microbeads in many beauty products are harmful to coral and marine life. Microbeads can make their way into waterways and oceans, which are then ingested by marine life, and can eventually end up in human food sources. This measure seeks to decrease the amount of microplastic pollution in the State's waters and promote a healthy marine environment.

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. 2290, 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; Ayes with Reservations (Tokioaka, Matsumoto). Noes, none. Excused, 1 (Matayoshi).

#### **SCRep. 1055-22 Energy & Environmental Protection on S.B. No. 2662**

The purpose of this measure is to:

- (1) Establish a state and county bid preference for construction and demolition services that use the most recycled materials or recycle the most demolition materials;
- (2) Update the state building codes to include the latest edition of the International Green Construction Code; and
- (3) Set specific targets for the recycling, reuse, donation, and resale of non-hazardous construction waste.

Your Committee received testimony in support of this measure from the Kauai Women's Caucus, Environmental Caucus of the Democratic Party of Hawai'i, Climate Protectors Hawai'i, Mokulua High Performance Builder, Hawai'i Gas, Re-use Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii and Building Industry Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that diversion and recycling of construction and demolition debris are best practices that can offer substantial benefits to the State. However, there are few incentives for public and private sector entities to invest in recycling processes and equipment for construction and demolition debris. This measure increases the amount of recyclable waste materials in the State, reducing landfill use and increasing the environmental sustainability efforts of the construction industry.

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. 2662, 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, 6; Ayes with Reservations (Perruso, Matsumoto). Noes, 1 (Tokioaka). Excused, 1 (Matayoshi).

#### **SCRep. 1056-22 Energy & Environmental Protection/Economic Development on S.B. No. 2478**

The purpose of this measure is to reinstate the renewable fuels production tax credit.

Your Committees received testimony in support of this measure from the Hawaii State Energy Office; ILWU Local 142, Hawaii Longshore Division;

Hawai'i Farm Bureau; Par Hawaii; Pacific Biodiesel Technologies; Hawai'i Gas; Hawaii Clean Power Alliance; Biotechnology Innovation Organization; and numerous individuals. Your Committees received testimony in opposition to this measure from 350Hawaii.org, Environmental Caucus of the Democratic Party of Hawai'i, and three individuals. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Taxation, Pet Food Institute, Tax Foundation of Hawaii, Hawaii Forest Stewards, Climate Protectors Hawai'i, and two individuals.

Your Committees find that renewable fuels provide lower-cost alternative fuels for residential, commercial, and industrial customers. Your Committees further find that to support the use of renewable fuels, Act 202, Session Laws of Hawaii 2016, was enacted to establish a renewable fuels production tax credit; however, this tax credit has since been repealed. Your Committees believe that the importance of producing renewable fuel merits reinstating the renewable fuels production tax credit.

Your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 1809, H.D. 3 (Regular Session of 2022), a substantially similar measure that:
  - (A) Establishes a renewable fuels production tax credit;
  - (B) Specifies certain responsibilities for the Hawaii State Energy Office related to the tax credit; and
  - (C) Takes effect on July 1, 2100;
- (2) Inserting an annual dollar amount of the renewable fuels production tax credit during the ten-year credit period of 20 cents per seventy-six thousand British thermal units of renewable fuels using the lower heating value produced for distribution in the State;
- (3) Specifying a timeline for the Hawaii State Energy Office to review the information to certify renewable fuels production tax credits;
- (4) Inserting an annual aggregate cap on the renewable fuels production tax credit of \$3,000,000;
- (5) Specifying requirements and a timeline for a taxpayer to provide information necessary for certification of the renewable fuels production tax credit;
- (6) Specifying that the information collected and compiled by the Hawaii State Energy Office for the purposes of the renewable fuels production tax credit shall be kept confidential, under certain conditions;
- (7) Clarifying the definition of "renewable feedstocks";
- (8) Specifying that the renewable fuels production tax credit shall apply to taxable years after December 31, 2022; and
- (9) 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 Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2478, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2478, 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, 7; Ayes with Reservations (Tokioka). Noes, none. Excused, 1 (Matayoshi).

Economic Development: Ayes, 6; Ayes with Reservations (Belatti, Onishi, Okimoto). Noes, 1 (D. Kobayashi). Excused, 1 (Takayama).

#### **SCRep. 1057-22 Education on S.B. No. 2822**

The purpose of this measure is to require the Department of Education to offer optional asthma education instruction to students and to require teachers and other department employees to obtain asthma training.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, American Lung Association in Hawaii, AlohaCare, Hawaii Medical Association, Hawai'i Primary Care Association, Hawai'i Public Health Association, Hawai'i Public Health Institute, Hawai'i Children's Action Network Speaks!, and two individuals. Your Committee received comments on this measure from the Department of Education and Department of Health.

Your Committee finds that every year, over five thousand people in Hawaii visit emergency rooms due to asthma and another one thousand five hundred are hospitalized. Infants and very young children make up the majority of asthma-related medical emergencies and hospitalizations. Although the asthma mortality rate has declined over the past ten years, there was an average of twenty-two deaths per year from asthma in Hawaii between 2013 and 2015.

Your Committee further finds that published research funded by the Centers for Disease Control and Prevention for the Journal of School Health has shown that students who engage in school-based asthma education experienced significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after participation in the intervention. This measure seeks to introduce asthma education instruction to Hawaii's students and to provide training to teachers and other Department of Education employees to ensure students with asthma are able to thrive in all environments.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, the Department of Education to offer optional asthma education to students and provide asthma training to teachers and other department employees who interact with students;
- (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. 2822, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2822, S.D. 1, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1058-22 Education on S.B. No. 2189**

The purpose of this measure is to:

- (1) Remove the Governor's authority to select the Chairperson of the Board of Education;
- (2) Authorize the majority of the members of the Board of Education to elect a Chairperson of the Board from among the members of the Board; and
- (3) Remove the requirement that the Chairperson of the Board of Education be an at-large member.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that existing law requires the Governor to select the Chairperson of the Board of Education from one of the at-large members of the Board. Your Committee believes that placing the responsibility for the selection of the Chairperson of the Board of Education with the Board itself, rather than the Governor, will streamline the process for selecting the Chairperson and promote the efficient operation of the 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 S.B. No. 2189, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2189, 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, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1059-22 Education on S.B. No. 2824**

The purpose of this measure is to amend the minimum qualifications for Board of Education members to:

- (1) Diversify the experiences of the Board to include knowledge, experience, and proven expertise in education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate finance, or organization management; and
- (2) Clarify that members of the Board must have an understanding of best practices in educational governance through organizations such as the National Association of State Boards of Education.

Your Committee received testimony in support of this measure from HawaiiKidsCAN and two individuals. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that the Board of Education serves the important role of formulating the educational policy for the State's education system. As schools expand their career readiness programs and partnerships with employers to meet the needs of the local and global workforce and community, the Board of Education will need to have a sophisticated understanding of policy related to a wide range of subjects and disciplines. Your Committee believes that requiring Board of Education members to have diversified backgrounds, expertise, and perspectives as well as knowledge about best practices from expert organizations will benefit Hawaii's education system.

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. 2824, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2824, 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, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1060-22 Education on S.B. No. 3090**

The purpose of this measure is to provide greater fiscal transparency by broadening the purposes for which indirect costs from federal grants incurred by the Department of Education, State Public Charter School Commission, or a charter school authorizer may be reimbursed.

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

Your Committee finds that indirect cost funds are reimbursements from federal grants received by the Department of Education for costs incurred in support of administrative and general business operations based on a negotiated rate with the federal government that is assessed against allowable federal grant expenditures. Your Committee further finds that broadening the purposes for which indirect costs from federal grants may be used will make the costs available to be deposited into the Federal Grants Revolving Fund, which allows funds to be used for the pursuit of additional discretionary grants, monitoring grant execution, compliance with grant requirements, and the auditing of grant expenditures, which will support better intentional, planned, and transparent use of the funds.

Your Committee has amended this measure by:

- (1) Changing its 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 S.B. No. 3090, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3090, 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, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1061-22 Education on S.B. No. 3098**

The purpose of this measure is to make an emergency appropriation to the Department of Education for lead abatement measures at Department of Education elementary schools.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, and Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of Education strives to ensure that its facilities are maintained to protect the health and safety of its students, teachers, and staff. Your Committee further finds that the results of the recently completed first phase of a United States Environmental Protection Agency's Water Infrastructure Improvements for the Nation Act grant programs found that Department of Education elementary schools with old plumbing fixtures resulted in finding trace amounts of lead being found in drinking water sources. According to the United States Environmental Protection Agency, there is no known safe level of lead in a child's blood and lead is harmful to health, especially for children. This measure will provide the funding necessary for the Department of Education to repair or replace the old plumbing fixtures and provide safe drinking water to elementary school students.

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. 3098, 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, 10. Noes, none. Excused, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1062-22 Higher Education & Technology on S.B. No. 832**

The purpose of this measure is to expand the victim-counselor privilege under Rule 505.5 of the Hawaii Rules of Evidence to include confidential advocates employed by the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Hawai'i State Commission on the Status of Women, AAUW of Hawaii, Sex Abuse Treatment Center, The Every Voice Coalition Hawai'i, and six individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that this measure offers greater protection to victims of sexual harassment, sexual assault, domestic violence, dating violence, and stalking at the University of Hawaii by establishing additional legal protections for information that victims share with the University of Hawaii's confidential advocates.

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.

Your Committee respectfully requests that should your Committee on Judiciary & Hawaiian Affairs choose to hear this measure, it consider the Judiciary's comments regarding the use of the term "semiabsolute" in the measure.

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. 832, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 832, 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, 12. Noes, none. Excused, 1 (Ohno).

#### **SCRep. 1063-22 Higher Education & Technology on S.B. No. 2567**

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 an interactive digital database software program of its applicant, beneficiary, and lessee records, which must contain relevant information on each individual's homestead lease application status, number of applications, address, number of denied leases, designated successors, history of obtaining leases as an applicant or as a successor, and other information as determined by the Hawaiian Homes Commission, by July 1, 2023.

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 Department of Hawaiian Home Lands.

Your Committee finds that the compilation of applicant and other relevant information into a single interactive database will increase efficiency within the Department of Hawaiian Home Lands and reduce the potential for lease award abuses.

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. 2567, 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, 13. Noes, none. Excused, none.

#### **SCRep. 1064-22 Higher Education & Technology on S.B. No. 2076**

The purpose of this measure is to:

- (1) Define broadband equity;
- (2) Clarify the Hawaii Broadband and Digital Equity Office's duties to promote and support digital equity and broadband deployment; and
- (3) Appropriate funds to the Hawaii Broadband and Digital Equity Office for full-time equivalent administrative positions for the operation and administration of the Office.

Your Committee received testimony in support of this measure from the Department of Health; Department of Business, Economic Development, and Tourism; State Council on Developmental Disabilities; Disability and Communication Access Board; State Council on Mental Health; Hawai'i Primary Care Association; Common Cause Hawaii; Maui Chamber of Commerce; and Broadband Hui. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Hui LLC.

Your Committee finds that increasing access to broadband service and expanding digital equity are crucial elements to allow the people of Hawaii to thrive in an increasingly technology-driven economy and world.

Your Committee has amended this measure by:

- (1) Adding a preamble;
- (2) Establishing a Hawaii Broadband Infrastructure Authority to oversee broadband infrastructure in the State;
- (3) Removing from the duties of the Hawaii Broadband and Digital Equity Office the promotion of the landing of trans-Pacific submarine cable, including the development of a shared access cable station and associated terrestrial connectivity to reduce barriers to fiber landing in Hawaii;
- (4) Deleting the granting of authority to the Hawaii Broadband and Digital Equity Office to enter into contracts, in accordance with chapter 103D, Hawaii Revised Statutes, for consulting services to render professional and technical assistance and advice, and any other contracts for consulting services that are necessary and proper to carry out its duties;
- (5) Deleting amendments to section 206S-4, Hawaii Revised Statutes, that clarified the duties of the Hawaii Broadband and Digital Equity Office relating to digital equity;

- (6) Making an appropriation out of the federal funds received by the State to enhance broadband infrastructure programs and expand access to broadband in the State, including the installation of broadband infrastructure, to be expended by the University of Hawaii; 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. 2076, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2076, 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, 13. Noes, none. Excused, none.

#### **SCRep. 1065-22 Higher Education & Technology on S.B. No. 2292**

The purpose of this measure is to modernize the definition of "personal information" for the purposes of notifying affected persons of data and security breaches.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services; Hawaiian Electric Company, Inc.; Hawai'i Pacific Health; and one individual. Your Committee received testimony in opposition to this measure from Verizon, CTIA, RELX Group, and the Consumer Data Industry Association. Your Committee received comments on this measure from the Office of Consumer Protection, Hawaii Insurers Council, Hawaii Bankers Association, State Privacy & Security Coalition, Hawaii Financial Services Association, Hawaii Credit Union League, and Hawaii Association of Health Plans.

Your Committee finds that House Concurrent Resolution No. 225, H.D. 1, S.D. 1, Regular Session of 2019, convened the Twenty-First Century Privacy Law Task Force, whose membership consisted of individuals in government and the private sector having an interest or expertise in privacy law in the digital era. Your Committee further finds that following significant inquiry and discussion, the Twenty-First Century Privacy Law Task Force recommended that the outdated definition of "personal information" in chapter 487N, Hawaii Revised Statutes, which requires the public to be notified of data breaches, be updated and expanded. This measure will help ensure that individuals are protected from data breaches that may place an individual at risk of identity theft or may compromise the individual's personal safety.

Your Committee has amended this measure by:

- (1) Clarifying the definition of "identifier" to include an individual's mobile phone number or an email address specific to the individual;
- (2) Modifying the definition of "specified data element" to include an individual's Social Security Number, either in its entirety or the last four or more digits; 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. 2292, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2292, 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, 13. Noes, none. Excused, none.

#### **SCRep. 1066-22 Transportation on S.B. No. 2008**

The purpose of this measure is to:

- (1) Remove the three-year limit on the exemption of the State and counties from the requirement to maintain or improve any condemned roads;
- (2) Waive applicability of joint and several liability for acts or omissions of the State and counties relating to a condemned road that occurred prior to condemnation of the road; and
- (3) Allow the State and counties to utilize flexibility in highway design, including limitations of liability, regarding any condemned road.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Maui County Council, and Hawaii Association for Justice.

Your Committee finds that although there are numerous roads throughout the State that are privately owned and often used by the public, the public may not realize that the road is not owned by a governmental agency, which creates difficulties when individuals seek to have a private road repaired. This measure will reduce disincentives to State and county condemnation of private lanes so that the difficulties of repairing and maintaining private lanes do not continue.

Your Committee has amended this measure by:

- (1) Reinstating the three-year limit on the exemption of the State and counties from the requirement to maintain or improve any condemned roads; and
- (2) Making technical, 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. 2008, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2008, 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. 1067-22 Transportation on S.B. No. 2679**

The purpose of this measure is to extend the renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age.

Your Committee received testimony in support of this measure from the Department of Transportation; City and County of Honolulu Department of Customer Services, Motor Vehicles, Licensing, and Permitting Division; AARP Hawai'i; and nine individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that many individuals over seventy years of age are physically fit and mentally capable of performing a wide range of activities, including driving. Your Committee further finds that the Department of Transportation has not found any local data to indicate drivers aged seventy or older

are at higher risk of causing or being involved in crashes. Therefore, the current two-year renewal period for drivers aged seventy-two to seventy-nine seems reasonable and thus should be extended to four years.

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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2679, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2679, 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. 1068-22 Transportation on S.B. No. 3311**

The purpose of this measure is to:

- (1) Establish an Interisland Transportation Working Group to develop plans and recommendations for achieving zero emissions interisland transportation;
- (2) Establish long-term goals for zero emissions transportation in Hawaii and abroad to reduce and eliminate transportation emissions; and
- (3) Require the Department of Transportation and Hawaii State Energy Office to prepare for and incentivize the increased adoption of electric vehicles in the State.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, County of Hawai'i Mass Transit Agency, Big Island Electric Vehicle Association, Climate Protectors Hawai'i, Hawaii Electric Vehicle Association, Kauai Climate Action Coalition, KauaiEV, Kauai Women's Caucus, Maui Nui EV Association, Uluopono Initiative, Hawaii Automobile Dealers' Association, Hawaii Bioeconomy Trade Organization, and fourteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Transportation, Alliance for Automotive Innovation, and Pacific Biodiesel Technologies.

Your Committee finds that while transportation accounts for the majority of Hawaii's greenhouse gas emissions, the State is ideally suited to serve as a unique incubator for innovative new technologies to achieve zero emissions transportation. This measure promotes the reduction of greenhouse gas emissions for the various modes of transportation and supports efforts to increase the adoption of electric vehicles in the State.

Your Committee notes that in the development and implementation of plans related to electric vehicles, the Department of Transportation, Hawaii Climate Change Mitigation and Adaptation Commission, and Hawaii State Energy Office are requested to engage a broad range of constituencies.

Your Committee has amended this measure by:

- (1) Deleting certain findings;
- (2) Reorganizing certain sections of the measure for clarity; 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. 3311, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3311, 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, 9. Noes, none. Excused, none.

#### **SCRep. 1069-22 Transportation on S.B. No. 2295**

The purpose of this measure is to require:

- (1) The Department of Transportation to plan for a certain amount of sea level rise in all future or amended transportation projects; and
- (2) All Department of Transportation projects to conform to certain carbon concrete standards, except in certain circumstances.

Your Committee received testimony in support of this measure from the Surfrider Foundation and one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that the State's public infrastructure is vulnerable to sea level rise, coastal erosion, and other impacts of climate change and extreme weather. This measure will help the State to adapt to the effects of sea level rise, while reducing carbon gas emissions.

Your Committee has amended this measure by clarifying that all Department of Transportation highway, harbor, and airport projects shall conform to certain carbon concrete standards, except in certain conditions.

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. 2295, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2295, S.D. 2, 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. 1070-22 Pandemic & Disaster Preparedness on S.B. No. 2880**

The purpose of this measure is to prohibit any increase in the fees charged for providing home health care services during a state of emergency concerning a public health pandemic on the sole basis that the patient receiving the services requires that the home health care service provider be vaccinated against the underlying disease causing the emergency.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that the coronavirus disease 2019 pandemic highlighted the importance of health care providers, especially for our kupuna. Due to the nature of their responsibilities, home health care providers are constantly in close contact with elderly patients, who require their health care providers to be vaccinated due to their compromised health or underlying health conditions. This measure will protect our kupuna during times of an emergency and ensure that home health care providers are fairly charging residents of Hawaii for their services.



Your Committee has amended this measure by:

- (1) Clarifying that any increase in fees charged for providing home health care services shall be prohibited during a local state of emergency, in addition to a state of emergency; 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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2880, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2880, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, 2 (McKelvey, Woodson).

#### **SCRep. 1071-22 Pandemic & Disaster Preparedness on S.B. No. 3087**

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Defense and Hawaii Emergency Management Agency.

Your Committee finds that this measure will align the Hawaii Emergency Management Agency with the best emergency management practices across the country by codifying the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

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. 3087, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3087, S.D. 1, H.D. 1, and be referred to your Committee on Corrections, Military, & Veterans.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (McKelvey, Woodson).

#### **SCRep. 1072-22 Pandemic & Disaster Preparedness on S.B. No. 3236**

The purpose of this measure is to appropriate funds to provide a one-time enhanced payment equal to fifteen percent of Medicaid patient payments for fiscal year 2022-2023 to nursing facilities, community care foster family homes, and expanded adult residential care homes that are caring for Medicaid patients.

Your Committee received testimony in support of this measure from the East Hawaii Region of Hawaii Health System Corporation, Ohana Pacific Health, The Villas, Garden Isle Rehab & Nursing, Legacy Hilo Rehab & Nursing, Hale Makua Health Services, Aloha Nursing Rehab Centre, Islands Skilled Nursing and Rehabilitation, Hale Kūpuna Heritage Home, Hawai'i Pacific Health, Pu'uwai 'O Makaha, Kalākaua Gardens, Ann Pearl Nursing Facility, Healthcare Association of Hawaii, Kaiser Permanente Hawaii, The Queen's Health Systems, Adult Foster Homecare Association of Hawaii, and seven individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Hawaii Health Systems Corporation, and two individuals.

Your Committee finds that nursing facilities, community care foster family homes, and expanded adult residential care homes experienced significant economic and labor hardships due to the coronavirus disease 2019 pandemic, including a significant decrease in revenue and coupled with the increase in cost. Many of these facilities are still struggling to continue providing their essential and necessary services. Your Committee notes that despite receiving some federal relief, that relief only covered roughly thirty percent of the total pandemic-related losses. Your Committee acknowledges the work and dedication of nursing facilities and believes they require additional financial support to continue providing health care services to the residents of the State.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation is to provide an enhanced payment of fifteen percent to any eligible facility in the State, as determined by the Department of Human Services, that provides care to Medicaid patients in Medicare-certified skilled nursing facilities, community care foster family homes, and expanded adult residential care homes; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the requested appropriation for fiscal year 2022-2023 is \$17,000,000. Your Committee further notes that if a different amount is ultimately appropriated, the percentage of Medicaid patient payments for fiscal year 2022-2023 would no longer equal fifteen percent and would need to be amended accordingly.

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. 3236, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3236, S.D. 2, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (McKelvey, Woodson).

#### **SCRep. 1073-22 Pandemic & Disaster Preparedness on S.B. No. 3335**

The purpose of this measure is to appropriate funds for the operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee received testimony in support of this measure from the Hawaii Emergency Management Agency, Hawaii Wing of the Civil Air Patrol, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Wing of the Civil Air Patrol has played an important role in emergency and disaster response efforts in the State. The Hawaii Wing of the Civil Air Patrol has provided invaluable assistance from spreading warnings in remote areas before a disaster hits, to conducting pre-assessment aerial reconnaissance to assess damage caused by a disaster. This has allowed the State to expeditiously apply for federal disaster declarations, allowing the federal government and State to respond to an emergency. This measure would provide for the continuation of the necessary services the Hawaii Wing of the Civil Air Patrol provides to the State during times of an emergency, thereby ensuring the safety of the State's visitors and residents.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that although the appropriation amount is currently unspecified, a previous version of this measure provided an appropriation of \$150,000 that would be necessary to effectuate the purpose of this measure.

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. 3335, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3335, S.D. 1, H.D. 1, and be referred to your Committee on Corrections, Military, & Veterans.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (McKelvey, Woodson).

#### **SCRep. 1074-22 Health, Human Services, & Homelessness on S.B. No. 2276**

The purpose of this measure is to make comprehensive updates to the statutory provisions regarding acupuncture practitioners to reflect modernized scopes of practice and licensing requirements.

Your Committee received testimony in support of this measure from the Board of Acupuncture, Hawaii Acupuncture Association, Institute of Clinical Acupuncture and Oriental Medicine, American Acupuncture Council, Kailua Acupuncture Clinic, OceanMed Clinic, Longevity Health Center, Makai Natural Medicine, AcuPlan Hawaii, and six individuals. Your Committee received testimony in opposition to this measure from the Hawaii Medical Association, American Academy of Medical Acupuncture, and three individuals. Your Committee received comments on this measure from the CHI Lifestyle Medical Center.

Your Committee finds that, because of expanded benefits under health insurance policies and Medicare, acupuncture is one of the fastest growing fields in American health care. Your Committee further finds that Hawaii's existing laws regulating the practice of acupuncture do not reflect the current state of acupuncture practice, particularly in the areas of national certification standards and expanded accredited educational programs. This measure amends Hawaii's laws regulating the practice of acupuncture to reflect modernized scopes of practice and licensing requirements.

Your Committee has amended this measure by:

- (1) Changing references from "acupuncture medicine physician" to "acupuncture medicine doctor";
- (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. 2276, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2276, 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, none.

#### **SCRep. 1075-22 Health, Human Services, & Homelessness on S.B. No. 2115**

The purpose of this measure is to establish conditions and time limits for placing a minor in room confinement at a detention or shelter facility.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Office of the Public Defender, Office of Youth Services, Opportunity Youth Action Hui, Hawai'i Psychological Association, and ACLU of Hawai'i. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that research and experience show that room confinement of youth is not an effective deterrent for misbehavior nor does it give youth the skills needed to behave differently in the future. Your Committee further finds that long periods of isolation have negative consequences for youth as youth are particularly vulnerable to the mental and emotional effects of room confinement. Nationally, there has been a recognition of the harmful effects of solitary confinement or prolonged room confinement on juveniles in detention. This measure protects the health and safety of minors by establishing limits and conditions for room confinement of a minor at a detention or shelter facility.

Your Committee has amended this measure by:

- (1) Clarifying that any decision to hold, rather than place or hold, a minor due to a mental health emergency must be made by a mental health professional;
- (2) Requiring the Judiciary, rather than the Department of Human Services, to publish a report on its website detailing its detention center's compliance with room confinement requirements; and
- (3) 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. 2115, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2115, 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, none.

#### **SCRep. 1076-22 Health, Human Services, & Homelessness on S.B. No. 2375**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Department of Human Services, to develop and establish a social work training program to assist incarcerated nonviolent individuals to explore a professional pathway in social work and become eligible to work as assistants to licensed social workers; and
- (2) Appropriate funds.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Hawai'i Health & Harm Reduction Center, The National Association of Social Workers Hawai'i Chapter, and one individual. Your Committee received comments on this measure from the Department of Human Services, Department of Public Safety, and Department of Budget and Finance.

Your Committee finds that Hawaii is facing a shortage of social workers to help people in the State manage their mental health and cope with stressors in their everyday lives. Your Committee further finds that some nonviolent incarcerated individuals may be uniquely qualified to enter the field of social work as assistants. This measure will encourage incarcerated nonviolent individuals, who have valuable life experience interfacing with social service organizations, to train and pursue employment opportunities in the area of social work, which may help with these individuals' successful reentry into the community.

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. 2375, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2375, 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, none.

#### **SCRep. 1077-22 Health, Human Services, & Homelessness on S.B. No. 2670**

The purpose of this measure is to establish a Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission to provide for a statewide program on the status of lesbian, gay, bisexual, transgender, queer, plus individuals in the State.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i Civil Rights Commission, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Pride at Work-Hawai'i, Hawai'i Health & Harm Reduction Center, Healing Ministry, Common Cause Hawaii, AF3IRM Hawaii, Americans for Democratic Action, North Shore Ko'olau Diversity Collective, ACLU of Hawai'i, and ten individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that many individuals in the State's lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) community are vulnerable, overlooked, or face discrimination. Your Committee further finds that Hawaii LGBTQ+ youth in particular are disproportionately affected by suicidal ideations, depression, anxiety, and other deleterious outcomes due to discrimination, harassment, and violence as a result of homophobia and transphobia. Your Committee further finds that the creation of a commission, as provided by this measure, will advance equity and is an important step to meet the needs of Hawaii's LGBTQ+ community.

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. 2670, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2670, 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, 1 (Ward). Excused, none.

#### **SCRep. 1078-22 Health, Human Services, & Homelessness on S.B. No. 2481**

The purpose of this measure is to establish a Youth Crisis Center Branch, to be headed by the Youth Crisis Center Branch Administrator within the Office of Youth Services.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network and Opportunity Youth Action Hui. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Budget and Finance, and Office of Youth Services.

Your Committee finds that there is a lack of collaboration between various state agencies to provide comprehensive, data-based services to adequately identify the needs and conditions of crises experienced by the State's youth. Your Committee further finds that the establishment of a framework of institutionalized youth crisis centers that can be sustained, even in the absence of grant funding and contracted services, will disrupt the school-to-prison pipeline, encourage the continuation of education, and provide safer environments for the State's youth. The establishment of a Youth Crisis Center Branch as provided by this measure will ensure at-risk youth and youth in need of services have access to the services and temporary shelter that they need.

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. 2481, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2481, 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 (Ward). Noes, none. Excused, none.

#### **SCRep. 1079-22 Health, Human Services, & Homelessness on S.B. No. 3248**

The purpose of this measure is to appropriate funds to purchase one advanced life support ambulance and related equipment, to be based on the island of Molokai, and pay related personnel costs for state-certified emergency medical services personnel.

Your Committee received testimony in support of this measure from American Medical Response, The Queen's Health Systems, Hana Health, Molokai Community Health Center, and fourteen individuals. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that Molokai is a rural and medically underserved area. The island's Emergency Medical Service (EMS) responders are required to serve a geographically large and sparsely populated area with a single ambulance. EMS responders on Molokai must often travel farther or navigate difficult terrain when responding to calls or transporting patients. Furthermore, adverse weather conditions, when coupled with these obstacles, can significantly affect response and transport times. This measure will help remediate the disparities in access to trauma care for rural and medically vulnerable communities on Molokai, and ensure residents and visitors there have timely access to trauma treatment.

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. 3248, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3248, 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, none.

#### **SCRep. 1080-22 Health, Human Services, & Homelessness on S.B. No. 2678**

The purpose of this measure is to appropriate funds to the State Health Insurance Assistance Program to expand the program by contracting with third-party service providers and staffing consultants and recruiting more volunteers.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Hawai'i Family Caregiver Coalition, AARP Hawai'i, Catholic Charities Hawai'i, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State Health Insurance Assistance Program (SHIP) is a critical program that provides individuals who qualify for Medicare with reliable, unbiased, and free information on Medicare, Medicaid, other health plans, and related topics. Your Committee further finds that SHIP is staffed by only two full-time employees who train a team of over eighty dedicated volunteers to provide specialized assistance to the public free of charge. Hawaii SHIP has the least number of staff for the largest number of Medicare beneficiaries and needs to expand in order to meet the State's growing Medicare population. This measure ensures the continued stability and continuity of SHIP by appropriating state funds to expand the program, which will ensure more people have access to SHIP's valuable 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 S.B. No. 2678, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2678, 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, none.

#### **SCRep. 1081-22 Health, Human Services, & Homelessness on S.B. No. 2624**

The purpose of this measure is to establish and fund:

- (1) A Telehealth Pilot Program to provide telehealth medical services in two distinct project sites in medically underserved areas; and
- (2) A Rural Health Care Pilot Program to assist residents in three distinct rural areas, one each on the islands of Maui, Molokai, and Lanai.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Manoa, Disability and Communication Access Board, Hawaii State Council on Developmental Disabilities, Hawaii Substance Abuse Coalition, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of Health, Department of Budget and Finance, State Council on Mental Health, Hawai'i State Center for Nursing, and Hawaii Primary Care Association.

Your Committee finds that many Hawaii residents are unable to obtain timely and appropriate health care and behavioral health care due to shortages of primary, specialty, and behavioral health care providers. Your Committee further finds that although telehealth is a viable solution for maximizing existing local resources and increasing patient convenience and compliance, no more than fifteen percent of practicing providers in Hawaii report a telehealth experience. The pilot programs established by this measure address the lack of utilization of telehealth and will help improve the quality and availability of health care in rural areas and medically underserved in the State.

Your Committee has amended this measure by:

- (1) Including psychiatrists among the specialties eligible to receive the availability fee under the Rural Health Care Pilot Project;
- (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. 2624, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2624, 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, none.

#### **SCRep. 1082-22 Health, Human Services, & Homelessness on S.B. No. 2032**

The purpose of this measure is to protect the privacy and confidentiality of genetic data of consumers who use the products or services of direct-to-consumer genetic testing companies by requiring these companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Quest Diagnostics and Coalition for Genetic Data Protection.

Your Committee finds that the number of companies offering direct-to-consumer genetic tests, along with the range of information on the health conditions and traits covered by these tests, has been growing. Your Committee further finds that there is little oversight or regulation of direct-to-consumer genetic testing companies, particularly pertaining to the privacy and confidentiality of a consumer's genetic information. This measure ensures a consumer's genetic information privacy is protected by establishing certain requirements pertaining to the collection, use, and disclosure of genetic data by direct-to-consumer genetic testing companies.

Your Committee has amended this measure by:

- (1) Clarifying that direct-to-consumer genetic testing companies do not include covered entities subject to the Health Insurance Portability and Accountability Act of 1996;
- (2) Clarifying that violations of the Hawaii Genetic Information Privacy Act are subject to penalties under the State's anti-trust law;
- (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. 2032, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2032, 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, none.

#### **SCRep. 1083-22 Health, Human Services, & Homelessness on S.B. No. 2274**

The purpose of this measure is to:

- (1) Require all nurses to respond to the Center for Nursing Workforce Supply Survey in conjunction with each license renewal, but does not penalize for failure to do so; and
- (2) Increase the additional Center for Nursing fee from \$40 per licensing biennium to \$60 per licensing biennium.

Your Committee received testimony in support of this measure from the University of Hawai'i at Manoa Nancy Atmospera-Walch School of Nursing, Hawai'i State Center for Nursing, Hawai'i-American Nurses Association, The Queen's Health Systems, Kaiser Permanente Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Nursing.

Your Committee finds that the Hawaii State Center for Nursing was established in 2003, to be funded through a biennial \$40 fee assessed per individual nurse licensee. The fee has not been adjusted since that time and a modest increase is now needed to help the Center sustain the staffing needed to maintain its programs and meet its mandates.

Your Committee also finds that the Center for Nursing is responsible for collecting and analyzing data and researching, preparing, and disseminating written reports and recommendations on a wide variety of issues related to the State's nursing workforce, including current and future workforce status and trends, best practices and quality outcomes, and recruiting and retention of nurses. Your Committee further finds that challenges to securing adequate responses to the Workforce Supply Survey have severely limited the Center's ability to continue to inform policy makers, health care leaders, and others on the availability and characteristics of the nursing workforce in the State. Requiring responses to this survey will improve the Center's ability to aggregate nursing workforce data and provide more accurate information on these issues.

Your Committee has amended this measure by:

- (1) Deleting most of the preamble;
- (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. 2274, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2274, 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, none.

#### **SCRep. 1084-22 Health, Human Services, & Homelessness on S.B. No. 2280**

The purpose of this measure is to permit dental assistants to perform limited, essential duties under the general supervision of a licensed dentist in public health settings.

Your Committee received testimony in support of this measure from the Department of Health, Board of Dentistry, Hawai'i Children's Action Network Speaks!, Hawai'i Oral Health Coalition, AlohaCare, and Hawaii Dental Association.

Your Committee finds that the State lacks adequate and accessible dental public health infrastructure, particularly on the neighbor islands. Your Committee further finds that dental assistants could help improve access to dental health care across the State. However, existing law prohibits dental assistants from providing auxiliary support except under the direct supervision of a dentist, which hinders the sustainability and viability of dental care programs in public health settings. This measure addresses capacity issues in dental public health infrastructure by permitting dental assistants to provide limited, but essential, auxiliary support under general supervision while in public health settings.

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. 2280, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2280, 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, none.

#### **SCRep. 1085-22 Health, Human Services, & Homelessness on S.B. No. 2482**

The purpose of this measure is to establish the temporary Office of Wellness and Resilience as a semi-autonomous entity within the Office of the Governor to support and implement the statewide framework developed by the Trauma-Informed Care Task Force established pursuant to Act 209, Session Laws of Hawaii 2021.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Health, Executive Office on Early Learning, Early Learning Board, Hawaii Children's Action Network Speaks!, Hawaii Youth Services Network, HawaiiKidsCAN, Hawai'i Community Foundation, Parents And Children Together, Early Childhood Action Strategy, Kamehameha Schools, Keiki O Ka Aina, Hawaii Community Foundation, National Association of Social Workers - Hawai'i, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that early adverse childhood experiences shape the physical architecture of a child's developing brain and can prevent the development of a sturdy foundation for learning, quality health, and positive behavior. Strong, frequent, or prolonged stress in childhood caused by adverse childhood experiences can become toxic stress, impacting the development of a child's fundamental brain architecture and stress response systems. Your Committee further finds that a critical factor in buffering children from the effects of toxic stress and adverse childhood experiences is the existence of supportive, stable relationships between children, their families, caregivers, and other important adults in their lives. The Office of Wellness and Resilience established by this measure ensures that the individual reform efforts taken by various agencies to address trauma-informed care will be coordinated and integrated into statewide framework for trauma-informed care and responses.

Your Committee has amended this measure by:

- (1) Clarifying that departments may assign additional employees from existing positions to the Office of Wellness and Resilience;
- (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. 2482, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2482, 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, none.

#### **SCRep. 1086-22 Economic Development on S.B. No. 2331**

The purpose of this measure is to expand the definition of "beer" to specify that the term includes an alcohol by volume of no less than 0.5 per cent as well as alcohol seltzer beverages.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce and one individual. Your Committee received testimony in opposition to this measure from the Anheuser Busch Companies. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, and Anheuser-Busch.

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 offerings. This measure will help foster the creation of new and unique styles of beer and allow local manufacturers to grow their product line, thereby increasing revenue for the State.

Your Committee notes that this measure may inadvertently include a spirits-based, pre-mixed cocktail as a beer, which would potentially provide a tax cut for these drinks. It is not the intent of your Committee to consider these drinks as beer and your Committee wants to ensure that the tax rates for these drinks are not reduced.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that "beer" does not include, among other things, any products of distillation, by whatever name known, that contain distilled spirits, alcoholic spirits, or spirits, for purposes of the Liquor Tax Law;
- (2) Clarifying that, for regulatory purposes under chapter 281, Hawaii Revised Statutes, "beer" includes ale, porter, brown, stout, lager beer, small beer, strong beer, and alcoholic seltzer beverages, but does not include sake, known as Japanese rice wine, cooler beverage, or any products of distillation, by whatever name known, that contain distilled spirits, alcoholic spirits, or spirits;
- (3) Changing the effective date to October 18, 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 S.B. No. 2331, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2331, 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 (Okimoto).

#### **SCRep. 1087-22 Economic Development on S.B. No. 2378**

The purpose of this measure to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten volunteer members to three full-time, salaried members, with at least two required for quorum;
- (2) Authorizing members to validate the Board's actions with a concurrence of the majority;
- (3) Establishing a compensation schedule for board members with compensation based on a percentage of the Director of Taxation's salary;
- (4) Clarifying that Board meetings are contested case hearings and specifying notice requirements;
- (5) Clarifying the legal and evidentiary framework the Board may use in reaching its decisions; and
- (6) Appropriating funds for Board members and staff.

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

Your Committee finds that this measure would greatly assist the Department of Taxation with its backlog of tax appeals by establishing a full-time, paid professional Taxation Board of Review, thereby ensuring that Hawaii's taxpayers have their tax appeal issues resolved fairly and expeditiously. Your Committee further finds that further clarification regarding the legal and evidentiary framework of the Taxation Board of Review is necessary to improve efficiencies in the appeals system.

Your Committee believes that the Taxation Board of Review and the taxpayers that come before it would benefit even more if the Chairperson had experience as a Certified Public Accountant.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that the Chairperson of the Taxation Board of Review shall be either a state-licensed attorney or a Certified Public Accountant with experience in the State;
- (2) Clarifying that the Vice Chairperson of the Taxation Board of Review shall serve as the Chairperson during the Chairperson's temporary inability to act due to recusal;
- (3) Changing the effective date to October 18, 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 S.B. No. 2378, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2378, 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 (Okimoto).

#### **SCRep. 1088-22 Economic Development on S.B. No. 3201**

The purpose of this measure is to clarify the general excise tax exemption for unrelated trade or business activities of nonprofit organizations.

Your Committee received testimony in support of this measure from the Hawai'i Alliance of Nonprofit Organizations; Hawai'i Pacific Health; Catholic Charities Hawai'i; Hawaii Children's Action Networks Speak!; HT Hayashi Foundation; Kua'āina Ulu 'Auamo; Big Brothers Big Sisters Hawaii; Hawaii Substance Abuse Coalition; Hawaii Youth Services Network; Hawai'i Arts Alliance; Ho'ōla Nā Pua; The Institute for Human Services, Inc.; Hawai'i Forest Industry Association; Molokai Arts Center; Outrigger Duke Kahanamoku Foundation; Association of Fundraising Professionals Aloha Chapter; Hawaiian Humane Society; Kaua'i Habitat for Humanity, Inc.; Hawai'i State Coalition Against Domestic Violence; North Kohala Community Resource Center; Samaritan Counseling Center Hawaii; Habitat for Humanity Maui; Nā Hale O Maui, a Community Land Trust; 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 nonprofit organizations are currently exempt from federal income tax. Similar to the federal government, Hawaii provides a general excise tax exemption for income generated by a nonprofit organization's charitable activities. However, your Committee notes that unlike the federal government, Hawaii taxes activities that are used to produce income, even though the income may be in the furtherance of exempt activities, such as fundraisers. This measure aligns the State's general excise tax exemptions with the federal income tax code by clarifying the type of activity that would be taxable under state law.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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 S.B. No. 3201, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3201, 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 (Okimoto).

#### **SCRep. 1089-22 Economic Development on S.B. No. 2863**

The purpose of this measure is to exempt amounts received from the sale of feminine hygiene products from the general excise tax.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Hawaii State Council on Developmental Disabilities, Hawaii Food Industry Association, Ma'i Movement Hawai'i, Retail Merchants of Hawaii, Common Cause Hawaii, Rainbow Family 808, Hawai'i Women Lawyers, Stonewall Caucus of the Democratic Party of Hawai'i, and fifteen individuals. Your Committee received testimony in opposition to this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Tax Foundation of Hawaii.

Your Committee finds that feminine hygiene products are necessary to ensure the health of women and girls around the world. Despite this, the State levies the general excise tax on all feminine hygiene products. The general excise tax is a highly regressive tax system that disproportionately affects women and girls through the taxation of feminine hygiene products. This creates an unequal tax burden on women and girls who need feminine hygiene products, which can create barriers that prevent vulnerable youth and adults from fully engaging in education or employment and inhibit healthy social interactions. Your Committee believes that the State must alleviate this tax burden and improve accessibility to female hygiene products by exempting these products from the general excise tax.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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 S.B. No. 2863, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2863, 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 (Belatti, Onishi, Sayama). Noes, 1 (D. Kobayashi). Excused, 1 (Okimoto).

#### **SCRep. 1090-22 Government Reform on S.B. No. 2043**

The purpose of this measure is to repeal certain cross-references in the campaign spending law that refer to language that was previously repealed.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that this housekeeping measure is necessary to repeal references to provisions in the Hawaii Revised Statutes that were repealed in 2018.

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. 2043 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, 3 (Mizuno, Woodson, Ward).

#### **SCRep. 1091-22 Government Reform on S.B. No. 3164**

The purpose of this measure is to require any person who acts as a conduit of at least \$10,000 in certain campaign-related activities within any two-year election period to maintain relevant records and file reports with the Campaign Spending Commission regarding large contributions received and disclose the sources of the contributions.

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

Your Committee finds that transparency is an important factor for a healthy and strong democracy, since it allows voters to have accurate information to evaluate candidates for public office and hold those candidates accountable if they are elected. Your Committee further finds that existing law does not prevent some people and corporations from transferring their money to other entities and hiding their true identities when purchasing campaign advertisements. This measure will require the maintenance of transfer records relating to certain campaign contributions and transfers to inform voters of the identities of those who attempt to influence elections through the purchase of campaign advertisements.

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. 3164, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3164, 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, 5. Noes, none. Excused, 4 (Ichiyama, Mizuno, Woodson, Ward).

#### **SCRep. 1092-22 Government Reform on S.B. No. 3226**

The purpose of this measure is to:

- (1) Require the Office of Elections to prepare a digital voter information guide to be posted on its website, in compliance with certain accessibility standards; and
- (2) Require and appropriate funds for the Office of Elections to mail a notice with each ballot notifying voters that a digital voter information guide may be found on its website.

Your Committee received testimony in support of this measure from Common Cause Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Elections, and Disability and Communication Access Board.

Your Committee finds that the distribution of a digital voter information guide to registered voters of Hawaii will create a more informed voting public and may help increase voter participation in elections.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purpose of clarity, consistency, and style.

Should your Committee on Finance deliberate on this measure, your Committee on Government Reform respectfully requests that it consider appropriating \$95,000 to the Office of Elections for the preparation, posting, and upon request physical distribution of the voter information guide required by 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 S.B. No. 3226, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3226, 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, 1 (Mizuno).

#### **SCRep. 1093-22 Government Reform on S.B. No. 3329**

The purpose of this measure is to repeal chapter 634F, Hawaii Revised Statutes, the Citizen Participation in Government Act, and enact the Hawaii Public Expression Protection Act in its place.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform Laws; League of Women Voters of Hawaii; Sierra Club of Hawai'i; Climate Protectors Hawai'i; UNITE HERE! Local 5 Hawaii; Common Cause Hawaii; Motion Picture Association, Inc.; Center for Biological Diversity; Mālama Pūpūkea-Waimea; American Civil Liberties Union of Hawai'i; Hawaii's Thousand Friends; Uniform Law Commission; Kua'āina Ulu 'Auamo; and five individuals.

Your Committee finds that the enactment in 2002 of Hawaii's Citizen Participation in Government Act was intended to promote the rights of citizens to participate in government and to protect citizens from the chilling effect of retributive strategic lawsuits against public participation, or SLAPP suits. Your Committee further finds that to minimize the damage of SLAPP claims against citizens, Hawaii's anti-SLAPP law seeks to shift the burden of litigation back to the party bringing the SLAPP claim by providing for expedited judicial review, a stay on discovery, and sanctions. Your Committee notes that despite the intentions of the Legislature to broadly construe the original anti-SLAPP law, narrow court interpretation has rendered it ineffective at protecting citizen participation.

Your Committee also finds that in July 2020, the Uniform Law Commission drafted the Uniform Public Expression Protection Act to address SLAPP suits that are not solely based on public testimony at government proceedings. This measure incorporates the provisions of the uniform law, which will serve as a well-balanced, comprehensive update to Hawaii's anti-SLAPP law and includes broader protections for the public and clearer procedures for expedited dismissal of SLAPP claims.



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 purpose 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. 3329, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3329, 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, 1 (Mizuno).

#### **SCRep. 1094-22 Government Reform on S.B. No. 2138**

The purpose of this measure is to subject interns who work for the State to the provisions of the State Ethics Code by defining and including the term "intern" in the definition of "employees" under the Code.

Your Committee did not receive any testimony on this measure.

Your Committee finds that existing law is unclear with respect to the applicability of the State Ethics Code to individuals classified as interns. Your Committee further finds that the State Ethics Commission previously determined that interns, whether a student or an individual on loan from a private company, are employees within the definition of the State Ethics Code. Accordingly, this measure codifies the applicability of the State Ethics Code to interns working for the State.

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. 2138, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2138, S.D. 1, H.D. 1, and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Mizuno).

#### **SCRep. 1095-22 Government Reform on S.B. No. 2334**

The purpose of this measure is to:

- (1) Require the Board of Education to include an open forum at the end of its public meeting agenda to afford all interested persons an opportunity to present oral testimony on any matter not on the agenda;
- (2) Require the Board of Education to hold no less than six community forums annually, with at least one community forum to be held in each county;
- (3) Make Board of Education members' attendance at the community forums permitted interactions under certain circumstances; and
- (4) Require the Board of Education to report to the Legislature on the implementation of the open forum requirement.

Your Committee received testimony in support of this measure from the Office of Information Practices. Your Committee received comments on this measure from the Board of Education.

Your Committee finds that community forums 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 setting priorities. Your Committee further finds that 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.

Your Committee has amended this measure by:

- (1) Removing language which requires the Chairperson of the Board of Education to designate less than a quorum of board members to attend a community forum;
- (2) Changing its effective date to July 1, 2112, to encourage further discussion; 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 Government Reform that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2334, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2334, S.D. 2, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Mizuno).

#### **SCRep. 1096-22 Government Reform on S.B. No. 3040**

The purpose of this measure is to:

- (1) Create a State Procurement Automation System Special Fund;
- (2) Authorize the Administrator of the State Procurement Office to develop and administer procurement automation systems and charge and collect a transaction fee from all vendors using the procurement automation systems;
- (3) Delete language regarding qualified community rehabilitation programs made redundant by Act 55, Session Laws of Hawaii 2021; and
- (4) Establish five full-time equivalent positions in the State Procurement Office.

Your Committee received testimony in support of this measure from the Department of Transportation, State Procurement Office, and State Council on Developmental Disabilities. Your Committee received testimony in opposition to this measure from the Hawai'i Alliance of Nonprofit Organizations. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that government purchasing offices for several states operate using a self-funded model derived from a transaction fee ranging from

one percent to 2.5 percent charged to all contracts in their respective procurement automation systems. Your Committee further finds that establishing self-funded procurement automation systems in Hawaii will maximize the administrative efficiency and resources of the State Procurement Office. Your Committee also finds funding for additional positions will be of great benefit to the State Procurement Office and will aid in the management of procurement automation systems and the Office's statutory obligations.

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. 3040, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3040, 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; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Mizuno).

#### **SCRep. 1097-22 Government Reform on S.B. No. 3369**

The purpose of this measure is to:

- (1) Establish a working group to develop a plan for the phased in consolidation of procurement services and staff within executive branch agencies within a five-year timespan, excluding the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs;
- (2) Require the working group to make recommendations for attracting high-quality procurement professionals to the State; and
- (3) Appropriate funds to the State Procurement Office to support the activities of the working group.

Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and State Procurement Office.

Your Committee finds that procurement activities throughout the State may not be consistently compliant with applicable procurement laws and administrative rules. Your Committee further finds that many purchasers conduct procurement activities as part of their "other duties as assigned" and have minimal training and experience in public procurement, which can lead to mistakes resulting in increased costs to the government. This measure will establish a working group to study and develop a responsible plan for the phased in consolidation of certain executive branch procurement services and staff, taking into account the unique aspects of procurement for each department, to increase competency and expertise, efficiency, and transparency in the public procurement process.

Your Committee notes that there are concerns regarding insufficient training being provided to teachers and Department of Education employees using the Hawaii Electronic Procurement System. Your Committee believes that including the Department of Education as part of the phased in consolidation plan will address those concerns.

Accordingly, your Committee has amended this measure by:

- (1) Including the Department of Education and its procurement services and staff in the consolidation plan; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Consumer Protection and Commerce, should it choose to deliberate on this measure, to look into the issue of teachers and Department of Education employees having insufficient training to use the Hawaii Electronic Procurement System.

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. 3369, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3369, 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, 1 (Mizuno).

#### **SCRep. 1098-22 Government Reform on S.B. No. 3372**

The purpose of this measure is to authorize, where it is determined that a solicitation or award of a contract is in violation of law, the government contract to be rescinded and awarded to the next lowest responsive, responsible bidder to whom the contract would have been awarded were it not for the violation of law.

Your Committee received testimony in support of this measure from Nan, Inc. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that under existing law, when the Office of Administrative Hearings determines that a public works contract was improperly awarded, the Office's only remedy is to terminate the contract. However, this delays the procurement process, as the solicitation for the contract must then be reissued. This measure provides an alternative in cases where a solicitation or award of a contract is in violation of the law, which ensures a fair process in which the proper bidder is awarded the project, and prevents further delays in the procurement 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.

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. 3372, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3372, 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, 1 (Mizuno).

#### **SCRep. 1099-22 Corrections, Military, & Veterans on S.B. No. 2772**

The purpose of this measure is to appropriate funds for:

- (1) New and existing community-based furlough programs; and

- (2) Residential drug treatment, therapeutic living, and mental health programs that allow Judiciary-involved women to bring their minor children into the program to reduce the risks of trauma and multigenerational incarceration.

Your Committee received testimony in support of this measure from the Women's Prison Project, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, and seven individuals. Your Committee received comments on this measure from the Judiciary, Department of Budget and Finance, and Department of Public Safety.

Your Committee finds that the number of programs that allow minors to remain with their mothers while in treatment is limited. Funding to support and expand these existing programs would be beneficial as their capacity to provide residential treatment to women with minor children is a challenge. Your Committee also finds that there is a limited number of beds, which results in waitlists for mothers seeking treatment. This measure will decrease rates of incarcerated women and reduce recidivism by expanding prison diversion services for female offenders.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriations in this measure are for existing community-based prison diversion programs, rather than for the creation of new programs;
- (2) Clarifying that funds for community-based furlough programs are to be expended by the Department of Public Safety, rather than the Judiciary;
- (3) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2772, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2772, 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 (Morikawa, McDermott).

#### **SCRep. 1100-22 Corrections, Military, & Veterans on S.B. No. 2641**

The purpose of this measure is to appropriate funds for residential programs that allow minor children to remain with their mothers while participating in the program, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, to reduce the risk of trauma and multigenerational incarceration.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Women's Prison Project, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, American Civil Liberties Union of Hawai'i, and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that as of 2018, seventy-five percent of incarcerated women in Hawaii had children. Studies have shown that when women in the criminal justice system are separated from their children, the experience has devastating impacts on the children's mental health and development and can increase the risk of multigenerational incarceration. The separation also has a traumatic effect on the mothers. Your Committee also finds that the number of programs that allow minors to remain with their mothers while in treatment is limited. Your Committee believes that these programs require more funding to increase operations and bed space.

Your Committee has amended this measure by:

- (1) Amending its purpose section;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that should your Committees on Judiciary & Hawaiian Affairs and Finance hear this measure, they consider including an appropriation to the Department of Public Safety to facilitate the purposes of this measure.

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. 2641, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2641, 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 (Morikawa, McDermott).

#### **SCRep. 1101-22 Corrections, Military, & Veterans on S.B. No. 3295**

The purpose of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission to provide oversight over state correctional facilities that incarcerate women, receive and investigate complaints from incarcerated women, monitor the criminal justice system's progress in implementing reforms, and monitor programs and data that are important to ensuring successful outcomes for women in the correctional system;
- (2) Require annual reports to the Legislature; and
- (3) Appropriate funds for the Commission's operations, including the hiring of necessary staff.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Women's Prison Project, and one individual. Your Committee received comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that the duties and responsibilities that would be assigned to the Women's Corrections Implementation Commission are encompassed by the statutory responsibilities of the Hawai'i Correctional System Oversight Commission but are specifically targeted to incarcerated females. In addition, the Women's Corrections Implementation Commission would be attached to the Department of Public Safety rather than the Department of the Attorney General.

Your Committee further finds that the oversight provided by the Women's Corrections Implementation Commission would focus on effective gender-responsive enhancements and reforms.

Your Committee has amended this measure by:

- (1) Clarifying that appointees to the Women's Corrections Implementation Commission may be from any county within the State;
- (2) Adding the State Public Defender or designee to the Women's Corrections Implementation 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3295, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3295, 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, 2 (Morikawa, McDermott).

**SCRep. 1102-22 Corrections, Military, & Veterans on S.B. No. 2637**

The purpose of this measure is to:

- (1) Mandate that there be a community-based work furlough program for all female offenders in the State; and
- (2) Appropriate funds to the Department of Public Safety to extend the contract for community-based work furlough for women and ensure that it is not only continued but expanded to all incarcerated women.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Hawai'i State Commission on the Status of Women, Women's Prison Project, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, YWCA O'ahu, American Civil Liberties Union of Hawai'i, and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure will help the State transition to a rehabilitative and therapeutic model of corrections. The mandate for community-based work furlough programs for incarcerated women in Hawaii is consistent with the requirements in section 353H-3, Hawaii Revised Statutes, that the Department of Public Safety develop a "comprehensive network of transitional programs to address the needs of individuals exiting the correctional system" and ensure that "all reentry programs are gender-responsive". Such a network promotes community safety by facilitating the adjustment from the highly structured prison setting to independent living and works best when located in the communities to which the inmates will return.

Your Committee has amended this measure by:

- (1) Removing the mandate that a community-based work furlough program be made available to all female offenders;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2637, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2637, 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, 2 (Morikawa, McDermott).

**SCRep. 1103-22 Corrections, Military, & Veterans on S.B. No. 2373**

The purpose of this measure is to:

- (1) Create a new program called "project reset", which will help offenders secure post-release housing, including transitional housing and permanent housing, to support the offender's reentry, rehabilitation, and employment prospects; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Department of Public Safety; Office of the Public Defender; Chamber of Commerce Hawaii; Women's Prison Project; Hawaii Substance Abuse Coalition; Community Alliance on Prisons; Going Home Hawaii; The Institute for Human Services, Inc.; and five individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Budget and Finance, and American Civil Liberties Union of Hawai'i.

Your Committee finds that offenders exiting correctional facilities are at risk of becoming homeless but are not aware of or eligible for many services afforded to the homeless. Assisting offenders to obtain post-release housing as they transition back into the community will provide a measure of stability and help to minimize recidivism.

Your Committee has amended this measure by:

- (1) Establishing one full-time equivalent position within the Department of Human Services to administer the project reset program;
- (2) Changing the effective date to July 1, 3000; 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 S.B. No. 2373, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2373, S.D. 1, H.D. 1, and be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1104-22 Corrections, Military, & Veterans on S.B. No. 2770**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Office of Hawaiian Affairs, to create a rehabilitation program for prison inmates that puts an emphasis on preserving Native Hawaiian values and cultural practices; and
- (2) Appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Public Safety, Department of Human Services, Hawai'i Correctional System Oversight Commission, Community Alliance on Prisons, American Civil Liberties Union of Hawai'i, Opportunity Youth Action Hui, Women's Prison Project, and six 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 Budget and Finance and Papa Ola Lōkahi.

Your Committee finds that the Native Hawaiian population is disproportionately represented in the criminal justice system. Your Committee further finds that studies have shown a positive association between having a strong cultural identity and feelings of self-worth, belonging or social connection, and purpose. Creating a rehabilitation program that specifically addresses Native Hawaiian values and cultural practices is one way to help inmates feel less disenfranchised and support their reintegration into society upon release.

Your Committee has amended this measure by:

- (1) Placing the mandate for the creation of a Native Hawaiian rehabilitation program in session law rather than codifying it in the Hawaii Revised Statutes;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2770, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2770, 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, 2 (Morikawa, McDermott).

#### **SCRep. 1105-22 Corrections, Military, & Veterans on S.B. No. 3294**

The purpose of this measure is to appropriate funds for reentry planning circles for at least fifty incarcerated women.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Women's Prison Project, Hawai'i Friends of Restorative Justice, and five individuals. Your Committee received comments on this measure from the Department of Public Safety and Department of Budget and Finance.

Your Committee finds that reentry planning circles provide an opportunity for incarcerated persons to make meaningful amends, set goals, and plan for the future. Your Committee further finds that incarcerated persons who participate in reentry planning circles before leaving prison have significantly lower recidivism rates.

Your Committee has amended this measure by:

- (1) Deleting language that specified that the monies appropriated to fund reentry planning circles be for at least fifty incarcerated women;
- (2) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3294, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3294, 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 (Morikawa, McDermott).

#### **SCRep. 1106-22 Corrections, Military, & Veterans on S.B. No. 2640**

The purpose of this measure is to appropriate funds for the second year of the education program for incarcerated women.

Your Committee received testimony in support of this measure from the Department of Public Safety, University of Hawai'i System, American Civil Liberties Union of Hawai'i, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Hawai'i Friends of Restorative Justice, Women's Prison Project, and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the education program for imprisoned women is a program to train incarcerated women to be general education development, or GED, tutors for their peers; provide college correspondence courses for women in the Women's Community Correctional Center; and provide reentry and transition services for women who wish to continue their education post incarceration.

Your Committee also finds that, during the first year of the program, five GED tutors were successfully trained and certified, and as of January 2022, nine women at the Women's Community Correctional Center had their GED diplomas. Of the nine graduates, six went on to enroll in post-secondary programs earning college credits.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, 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 S.B. No. 2640, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2640, 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 (Morikawa, McDermott).

#### **SCRep. 1107-22 Corrections, Military, & Veterans on S.B. No. 2639**

The purpose of this measure is to require:

- (1) The Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders; and
- (2) The Department of Public Safety to submit a report to the Legislature on the Offender Reentry Office's compliance with the risk needs assessment tool

requirement.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that the development of a risk needs assessment tool that focuses on the discrete needs of female offenders will assist the Offender Reentry Office in identifying programs and services that are more helpful to females as they reintegrate into society.

Your Committee has amended this measure by changing the effective date to July 1, 3000, 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 S.B. No. 2639, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2639, 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 (Morikawa, McDermott).

#### **SCRep. 1108-22 Corrections, Military, & Veterans on S.B. No. 2532**

The purpose of this measure is to establish a working group to create a pilot program designed to reduce recidivism by providing inmates with business and entrepreneurial skills and financial literacy education to help inmates succeed after they are released from incarceration.

Your Committee received testimony in support of this measure from the Department of Public Safety, University of Hawai'i System, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Resilience Education, Chamber of Commerce Hawaii, and fifteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii's prison system houses many more inmates than it was designed to accommodate. One reason the prison system is overburdened is that 49.6 percent of convicted felons return to prison within one year of their release. Your Committee further finds that to reduce recidivism, several states have established programs that include training and mentoring to give inmates an opportunity to learn entrepreneurship, financial literacy, and business skills to facilitate their reentry into society.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, 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 S.B. No. 2532, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2532, 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, 2 (Morikawa, McDermott).

#### **SCRep. 1109-22 Corrections, Military, & Veterans on S.B. No. 2771**

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop a pretrial female risk and needs assessment tool and conduct internal pretrial female risk and needs assessments to measure the female offender's risk of flight, criminal conduct, or harm to the community; and
- (2) Require the pretrial female risk and needs assessment tool to consider factors important to female offenders when considering their risk of reoffending and treatment needs.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, and three individuals. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that women's pathways to incarceration, risk factors for recidivism, and rehabilitation needs differ from those of men and are not adequately identified or addressed by assessment tools that were originally developed for males in the criminal justice system. Parenting stress, lack of childcare, and the need for single mothers to support their family are among the risk factors and needs not identified in non-gender-responsive assessments. This measure ensures the accurate and effective assessment of female offenders by requiring the Department of Public Safety to develop a tool and conduct on female offenders pretrial risk and needs assessments for risks of flight, reoffending, or harming the community.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests that it consider appropriating \$40,000 to allow the Department on Public Safety to conduct a quantitative study of candidate instruments.

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. 2771, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2771, 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, 2 (Morikawa, McDermott).

#### **SCRep. 1110-22 Corrections, Military, & Veterans on S.B. No. 2774**

The purpose of this measure is to provide funding for the Women's Community Correctional Center to expand reentry planning circles, also known as huikahi restorative circles, which are a part of a reentry planning process shown to decrease recidivism.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Women's Prison Project, Hawai'i Friends of Restorative Justice, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that reentry planning circles have succeeded in allowing incarcerated people to reconnect and reconcile with their families prior to

release and to further develop their support system in the community. This gradual process of reintegration has been shown to reduce recidivism. By appropriating funds for huikahi restorative circles at the Women's Community Correctional Facility this measure further supports efforts to have incarcerated women reconnect and reconcile with their families prior to their release from incarceration.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Broadening the scope of the appropriation to reentry planning circles for incarcerated women;
- (3) Changing the 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 Corrections, Military, & Veterans that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2774, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2774, 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, 2 (Morikawa, McDermott).

#### **SCRep. 1111-22 Corrections, Military, & Veterans on S.B. No. 3139**

The purpose of this measure is to:

- (1) Establish a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigative functions of the State;
- (2) Reestablish the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population;
- (3) Transfer the law enforcement functions of the Department of Public Safety, Department of Transportation, the non-statutorily mandated functions of the Investigations Division of the Department of the Attorney General, and the Office of Homeland Security to the Department of Law Enforcement;
- (4) Establish a state law enforcement training center; and
- (5) Establish positions and appropriate funds to the Department of Law Enforcement and Department of Corrections and Rehabilitation.

Your Committee received testimony in support of this measure from the United States Department of Homeland Security's Homeland Security Investigations unit; Department of Public Safety; Department of the Attorney General; Department of Transportation; Department of Defense; Hawaii Office of Homeland Security; Hawaii Paroling Authority; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and numerous individuals. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i and three individuals. Your Committee received comments on this measure from the Department of Hawaiian Home Lands; Department of Budget and Finance; State of Hawaii Organization of Police Officers; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that corrections and certain law enforcement functions and activities are currently placed within the Department of Public Safety. Your Committee recognizes that the goals and functions of corrections and law enforcement are distinct and separating the functions of the Department of Public Safety into two departments would advance these distinct goals and objectives, while allowing the corrections arm to more fully integrate strategies for rehabilitation.

Your Committee further finds that state law enforcement personnel and functions are currently spread across various departments and county agencies. Reorganizing certain state law enforcement functions into a single entity with consistent training opportunities would provide for centralized state law enforcement functions to increase public safety, improve decision making, promote accountability, and streamline communication.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2171, H.D. 2, a substantially similar measure previously passed by the House, except that it:
  - (A) Retains the phasing in approach as set forth in the measure as introduced, including timing for the establishment of the Department of Law Enforcement and Department of Corrections and Rehabilitation, transfer of functions and personnel, and appropriations;
  - (B) Addresses concerns regarding overstepping the functions of county law enforcement;
  - (C) Incorporates conforming and other technical amendments for the purpose of clarity, consistency, and style; and
  - (D) Contains an effective date of July 1, 3000;
- (2) Clarifying that the salary of the Director of Law Enforcement shall be the same as that of the Director of Public Safety until such time as the Salary Commission meets and sets the salary;
- (3) Including in the duties of the Director of Law Enforcement responsibility for the deployment of adequate resources and coordination with county police departments to protect the health and safety of homestead communities on Hawaiian home lands; 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 S.B. No. 3139, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3139, 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 (Morikawa, McDermott).

#### **SCRep. 1112-22 Culture, Arts, & International Affairs on S.B. No. 3221**

The purpose of this measure is to appropriate funds to support international sister-state relations.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Japan-America Society of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that sister-state relationships are partnerships between governments that serve as a catalyst for trade and investment opportunities in

Hawaii. Your Committee further finds that Hawaii's sister-state relationships serve to raise Hawaii's profile internationally, which attracts dynamic cooperative programs, such as mutual exchanges in business, culture, tourism, and education, that positively impact Hawaii's economic growth. This measure ensures that funding support is provided to leverage existing relationships and activities that will continue to raise Hawaii's international role.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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 Culture, Arts, & International Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3221, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3221, 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, none.

#### **SCRep. 1113-22 Water & Land on S.B. No. 2752**

The purpose of this measure is to:

- (1) Establish an income tax credit for taxpayers who are required to seal abandoned wells on their real property;
- (2) Clarify the definition of the term "abandoned well";
- (3) Require sellers of real property to disclose the existence of wells on the property;
- (4) Require an owner or prior owner of an abandoned well to seal the well at the owner's or prior owner's expense; and
- (5) Appropriate funds for three full-time equivalent (3.0 FTE) positions under the Commission on Water 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 the Hawai'i Association of REALTORS® 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 wells in a state of disuse or disrepair can become conduits for contaminants to be introduced into ground water. Abandoned wells can also become receptacles for the disposal of waste, potentially resulting in additional contamination and associated risk to public health and the environment. Your Committee further finds that the Commission on Water Resource Management has developed minimum standards relating to water wells, including their sealing and abandonment, in order to protect the quality and quantity of the State's ground water resources.

Your Committee notes that under chapter 508D, Hawaii Revised Statutes, sellers are required to disclose all material facts that are within the knowledge or control of the seller or can be observed from visible, accessible areas. Unless a seller seals a well on the seller's own, the seller could have no knowledge of the presence of a well that was abandoned by a prior owner because it would be hidden from view, such as on large tracts of land in certain parts of Hawaii. Furthermore, your Committee finds that this measure may place an unreasonable duty of disclosure upon a seller who has no knowledge of the existence of an abandoned well and may unreasonably impose liability on the seller for the costs of filling and sealing a well of which the seller had no knowledge. Your Committee further notes that years could pass before the existence of an abandoned well is discovered and the property may have changed ownership multiple times. In that case, determining liability could be extremely difficult.

Accordingly, your Committee has amended this measure by:

- (1) Removing the requirement that sellers of real property disclose the existence of wells on the property;
- (2) Removing the liability of owners of real property who transfer ownership of the property to another person without first reporting and repairing or sealing the abandoned well, under certain circumstances; 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. 2752, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2752, 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 (B. Kobayashi, Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1114-22 Labor & Tourism on S.B. No. 3289**

The purpose of this measure is to:

- (1) Establish the Hawaii Retirement Savings Program, administered by the Hawaii Retirement Savings Board, in consultation with the Department of Budget and Finance and Department of Labor and Industrial Relations, to provide a state-facilitated payroll-deduction automatic enrollment individual retirement savings plan to private sector employees who do not have access to employer-sponsored retirement savings plans beginning July 1, 2024; and
- (2) Appropriate funds for the implementation and operation of the Hawaii Retirement Savings Program, including funds for the hiring of necessary staff.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Executive Office on Aging; Policy Advisory Board for Elder Affairs; Hawai'i Public Health Institute; Hawai'i Primary Care Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Restaurant Association; AARP Hawai'i; Honolulu Information Service, Inc.; Common Cause Hawaii; Gaylord's I, II, III and IV; Loco-Moco and Wiki Wiki Drive Ins; Burgers on Bishop; Gochi Grill; 3 Financial Group LLC; National Conference on Public Employee Retirement Systems; Adult Foster HomeCare Association of Hawaii; Association of Residential Care Administrators; Goya's Garage; and numerous individuals. Your Committee received testimony in opposition to this measure from the American Council of Life Insurers, and National Association of Insurance and Financial Advisors Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Human Services, Tax Foundation of Hawaii, Maui Chamber of Commerce, and Retail Merchants of Hawaii.

Your Committee finds that this measure will provide private sector workers a vehicle to build their savings for retirement and thereby increase their financial independence. The measure would also relieve pressure on the State and taxpayers in providing social services assistance to private sector workers who are unable to sufficiently build their savings for retirement.



Your Committee further finds, however, that some covered employees may not be in a position to afford automatic payroll deductions for savings. For those employees or others who prefer alternative mechanisms for saving, the decision not to participate in the Hawaii Retirement Savings Program should not require the affirmative step of opting out. Your Committee determined that the merits of the program should not be discounted on that basis. Instead, covered employees should be given the opportunity to participate in the savings program by electing to contribute, or opting in to the program.

Your Committee also finds that the Hawaii Retirement Savings Board (Board) should be mandated to provide covered employees with information and education on the impacts of a decision to opt in to the program and the appropriate level of participation. Further, noting the testimony of the Department of Budget and Finance, your Committee has determined that a phased approach to program implementation is prudent, with the Board to determine the start date for program implementation.

Additionally, your Committee finds it appropriate to place the program within the Department of Labor and Industrial Relations, which has oversight of employer-related requirements.

Accordingly, your Committee has amended this measure by:

- (1) Changing the program from an automatic enrollment program requiring covered employees to affirmatively opt out in order to decline participation, to a program that allows covered employees to opt in to the program;
- (2) Deleting the provision allowing the Board to elect to increase the program's contribution rates for participants on an annual basis, in deference to the covered employee's capacity to determine whether and at what level to contribute to the program;
- (3) Requiring the Board to assume as one of its duties the development and dissemination of information designed to educate covered employees about the impacts of opting in to the program on take-home pay, savings strategies, and the benefits of planning and saving for retirement and help them decide whether to participate and at what level participation may be appropriate;
- (4) Instituting a three-phase approach to program implementation, with the first phase including a detailed implementation and evaluation study and other due diligence tasks to determine feasibility of program parameters, followed by a report to the Legislature; the second phase including a determination of staffing levels, an implementation strategy and timetable, and outreach efforts; and the third phase culminating in program implementation;
- (5) Allowing the Board to determine the timeframe for development and implementation of the program rather than requiring a start date of July 1, 2024;
- (6) Placing the program within the Department of Labor and Industrial Relations for administrative purposes rather than the Department of Budget and Finance; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider an appropriation of \$750,000 for the Hawaii Retirement Savings Program and that it determine the operational costs and number of positions required to effectuate the program.

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. 3289, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3289, 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, 5. Noes, none. Excused, 3 (Holt, D. Kobayashi, Quinlan).

#### **SCRep. 1115-22 Labor & Tourism on S.B. No. 3129**

The purpose of this measure is to appropriate funds to the Unemployment Compensation Trust Fund as a cash infusion for the fund.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 pandemic created an unprecedented period of unemployment in the State and resulted in the rapid depletion of funds from the Unemployment Compensation Trust Fund. According to the Department of Labor and Industrial Relations, it is estimated that for every \$100,000,000 added to the Unemployment Compensation Trust Fund, the statutory schedule of employer taxes will likely drop one level in the following calendar year. This measure will thereby provide some relief to employers still recovering from the effects of the pandemic.

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. 3129, 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, 5. Noes, none. Excused, 3 (Holt, D. Kobayashi, Quinlan).

#### **SCRep. 1116-22 Consumer Protection & Commerce on S.B. No. 2212**

The purpose of this measure is to make it unlawful to knowingly or negligently:

- (1) Display or cause to be displayed, either directly or through a third party, a fictitious or misleading name or telephone number on a Hawaii resident's caller identification service; and
- (2) Cause a caller identification service to transmit misleading or inaccurate caller identification information.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and one individual. Your Committee received testimony in opposition to this measure from CTIA. Your Committee received comments on this measure from the Department of the Attorney General, Executive Office on Aging, Hawaiian Telcom, and Charter Communications.

Your Committee finds that fraudulent robocalls are a pervasive problem in Hawaii and the rest of the nation. Nearly sixty million Americans say that they have fallen victim to a phone scam in the past year, like the calls purporting to be from the Internal Revenue Service or a company inquiry about an expiring warranty on a nonexistent car. In total, Americans have been swindled out of more than \$30,000,000,000 over the past year, according to a survey conducted by TrueCaller and The Harris Poll.

Your Committee further finds that Hawaii consumers have been victimized by the practice commonly referred to as spoofing. Spoofing is when scammers disguise their identity by deliberately falsifying the information transmitted to the caller identification display, in an attempt to make calls less easily traceable. Also, scammers try to trick people into picking up a call by using so-called neighbor spoofing, which makes it appear as though the number is a local one that they may already know or trust.

Under the federal Truth in Caller ID Act, the Federal Communications Commission's rules prohibit any person or entity from transmitting misleading or inaccurate caller identification information with the intent to defraud, cause harm, or wrongly obtain anything of value. Illegal spoofers can face fines of up to \$10,000 per violation of the law. This measure will prohibit under state law the same practices that are already regulated by the federal Truth in Caller ID Act, which will provide another tool for state law enforcement to hold violators accountable.

Your Committee has amended this measure by:

- (1) Specifying that the exemption for a voice service provider applies when the voice service provider submits a certificate of compliance to the Federal Communications Commission in accordance with the Commission's federal regulations, rather than in accordance with the federal Pallone-Thune TRACED Act; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, evaluate whether the provisions in this measure violate the constitutional limitations of a single subject title or would be subject to a dormant Commerce Clause challenge.

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. 2212, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2212, 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. 1117-22 Consumer Protection & Commerce on S.B. No. 3077**

The purpose of this measure is to align the regulatory structure for the practices of barbering and cosmetology by consolidating the existing statutory framework under a new chapter and to:

- (1) Update definitions and other provisions to accommodate the needs of the industries and the public;
- (2) Increase penalties and fine amounts for unlicensed activity and license violations; and
- (3) Remove the medical clearance requirement for licensees.

Your Committee received testimony in support of this measure from the Board of Barbering and Cosmetology.

Your Committee finds that the regulation of barbering and cosmetology is unnecessarily complicated due to inconsistencies between the separate statutory chapters that regulate these industries. This measure will consolidate and align the regulatory scheme for the two professions to clarify licensure requirements and address the evolving industries' concerns and needs.

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. 3077, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3077, 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. 1118-22 Consumer Protection & Commerce on S.B. No. 2071**

The purpose of this measure is to:

- (1) Beginning January 1, 2023:
  - (A) Require public schools, private schools, and public charter schools to have at least one employee trained to administer or assist with the self-administration of seizure rescue medication or electrical stimulation using a vagus nerve stimulator magnet, except under certain circumstances;
  - (B) Require all principals, guidance counselors, and teachers to perform an annual self-study review of seizure safety materials; and
  - (C) Require the Department of Education and public charter schools to establish a seizure action plan for every student diagnosed with a seizure disorder and distribute the plan to employees and volunteers charged with supervising or caring for the student; and
- (2) Appropriate funds to the Department of Education for:
  - (A) Training of employees to administer or assist with the self-administration of seizure rescue medication at public schools and public charter schools; and
  - (B) Increasing health assistant and nurse services in public charter schools.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Hawaii Primary Care Association, Epilepsy Foundation of Hawaii, Epilepsy Foundation of America, and eleven individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Education, and Hawaii Association for Justice.

Your Committee finds that one study from the Centers for Disease Control and Prevention showed that students aged six to seventeen years living with epilepsy were more likely to miss eleven or more days of school, compared to students with other health concerns. Proper seizure first aid and continuity of care while students are in school is an important factor to ensure students reach their full potential with as minimal disruption to their learning environment as possible.

Your Committee further finds that the seizure action plan required by this measure would provide school personnel with important considerations, precautions, and contact information to help ensure aid is timely, tailored to the student's needs, and properly administered.

Your Committee has amended this measure by:

- (1) Specifying that a student's parent or guardian must supply the school with the necessary seizure medications or vagus nerve stimulator magnet to ensure that the school has such items readily available when 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2071, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2071, S.D. 1, H.D. 1, and be referred to your Committee on Education.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1119-22 Health, Human Services, & Homelessness on S.B. No. 2397**

The purpose of this measure is to:

- (1) Require certain individuals attempting to serve as child custody evaluators to complete a training course on domestic violence issues, developed and facilitated by the Hawaii State Coalition Against Domestic Violence, every three years; and
- (2) Require individuals to submit a letter or certificate of completion to the family court.

Your Committee received testimony in support of this measure from the Hawaii State Democratic Women's Caucus, Early Childhood Action Strategy, Hawai'i State Coalition Against Domestic Violence, American Association of University Women of Hawai'i, and two individuals. Your Committee received comments on this measure from the Judiciary and Domestic Violence Action Center.

Your Committee finds that in custody cases, domestic violence is often not identified at the outset of the case and is often not the reason for a child custody evaluation. Your Committee further finds that some child custody evaluators lack in-depth training and education on domestic violence, leading their recommendations to the courts on custody matters to be unduly affected and not in the best interests of children. This measure protects the health and safety of children in a custody situation by ensuring all child custody evaluators have the relevant knowledge about domestic violence issues.

Your Committee has amended this measure by:

- (1) Requiring the mandatory domestic violence training course be developed and facilitated by a nationally accredited domestic violence program based in Hawaii, rather than by the Hawaii State Coalition Against Domestic Violence;
- (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. 2397, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2397, 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, none.

#### **SCRep. 1120-22 Health, Human Services, & Homelessness on S.B. No. 2635**

The purpose of this measure is to require health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological exams.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Rainbow Family 808, Hawaii Medical Association, Hawai'i Women Lawyers, and three individuals. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that at this time, a mammogram is the best way to find breast cancer for most women of screening age; however, several studies have shown that women will delay screenings because of high out-of-pocket expenses. Sustainable solutions for mammographic coverage, such as the base level of breast cancer screening proposed by this measure, will improve access to mammograms and help address screening delays.

Your Committee has amended this measure by:

- (1) Deleting the preamble;
- (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. 2635, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2635, 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, none.

#### **SCRep. 1121-22 Corrections, Military, & Veterans on S.B. No. 3293**

The purpose of this measure is to establish a pilot program to provide:

- (1) Housing and child care vouchers for a period of up to two years to persons leaving incarceration, provided that certain eligibility requirements are met; and
- (2) An income tax credit for taxpayers who employ qualified program participants to incentivize employers to hire persons leaving incarceration to assist in the rehabilitation process.

Your Committee received testimony in support of this measure from the Department of Public Safety, Women's Prison Project, Hawaii Substance Abuse Coalition, and League of Women Voters. Your Committee received comments on this measure from the Department of Human Services, Department of Taxation, and Department of Budget and Finance.

Your Committee finds that more resources are needed to support inmates exiting the State's correctional facilities. Your Committee believes that one form of assistance that can provide a foundation for reentry is housing and child care support in the form of vouchers to qualifying applicants based upon financial need and contingent upon the applicant working or participating in programs relating to education, substance abuse, or parenting for a specified minimum number of hours per week. Your Committee further finds that establishing an income tax credit for employers who hire program participants is an appropriate incentive to foster the gainful employment of exiting inmates. Your Committee also finds that collectively, the vouchers and tax incentive can help to achieve

a smoother transition from the confines of the correctional facility and reduce recidivism.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2310, H.D. 1, a measure that similarly proposed the creation of a pilot program providing child care and housing vouchers for recently incarcerated persons and an employer income tax credit, previously passed by your Committee, except that it:

- (1) Places the pilot program, which is to last for five years, within the Judiciary instead of the Department of Human Services;
- (2) Applies to individuals exiting the Women's Community Correctional Center only;
- (3) Establishes an aggregate monetary amount of vouchers provided to program participants by the State not to exceed \$30,000 for each fiscal year;
- (4) Provides for the establishment of five full-time equivalent permanent transition navigator positions within the Judiciary; and
- (5) Takes effect on July 1, 3000.

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. 3293, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3293, 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 (McDermott).

#### **SCRep. 1122-22 Corrections, Military, & Veterans on S.B. No. 3085**

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces while they are not in federal service; and
- (2) Repeal the existing Hawaii Code of Military Justice, which was originally enacted in 1982.

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

Your Committee finds that this measure is based on the Uniform Code of Military Justice as contained in Title 10 United States Code sections 801 et seq., and the Model State Code of Military Justice that was proposed by the American Bar Association in 2005. According to the Department of Defense, this code update is needed to give commanders the tools they need to maintain good order and discipline within the State's military forces while also protecting the due process rights of the accused.

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. 3085, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3085, 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 (Morikawa, McDermott).

#### **SCRep. 1123-22 Housing on S.B. No. 2898**

The purpose of this measure is to establish transit-oriented development infrastructure improvement districts within county-designated transit-oriented development zones and a Transit-Oriented Development Infrastructure Improvement District Board to foster community development by strategically investing in infrastructure improvements.

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 and Sustainable Development. Your Committee received testimony in opposition to this measure from the Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that transit-oriented development is a powerful tool that can ultimately deliver a wide range of social, environmental, and economic benefits. Transit-oriented development also promotes development patterns that support quality of life, preserve the natural environment, provide a range of housing choices for residents, and encourage walking, biking, and use of mass transit. Your Committee further finds that the establishment of transit-oriented development infrastructure improvement districts will help the public and private sectors coordinate the planning, financing, and delivering of infrastructure necessary to increase the capacity of housing in the areas surrounding transit stations.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2898, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2898, S.D. 2, H.D. 1, and be referred to your Committee on Transportation.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (LoPresti, McDermott).

#### **SCRep. 1124-22 Housing on S.B. No. 2581**

The purpose of this measure is to prioritize the use of lands previously used by the federal government for the provision of affordable housing.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that the scarcity of available land has been a major challenge in addressing the State's critical shortage of affordable housing. This measure will help alleviate this shortage of available land and facilitate the development of more affordable housing by utilizing lands that were formerly leased to or used by the federal government.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2581, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2581, S.D. 1,

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, 2 (LoPresti, McDermott).

#### **SCRep. 1125-22 Housing on S.B. No. 2479**

The purpose of this measure is to require each public housing project, dwelling unit, and state low-income housing project that is built, renovated, or reconstructed after January 1, 2023, to include all broadband infrastructure that is necessary for tenants to have access to broadband service.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Health; Hawaii Public Housing Authority; State Council on Developmental Disabilities; Common Cause Hawaii; Hawaiian Telcom; Tangent Inc.; Succeed Hawaii, LLC; AARP Hawai'i; and one individual.

Your Committee finds that the COVID-19 pandemic has magnified the need for broadband access for all residents in the State. Your Committee further finds that the need for broadband access is especially true in the case of residents in public housing units where there are limited broadband options. This measure provides the ability for multiple broadband providers to offer low-cost options to these residents.

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. 2479 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 (LoPresti, McDermott).

#### **SCRep. 1126-22 Housing on S.B. No. 2251**

The purpose of this measure is to:

- (1) Allow the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects; and
- (2) Prohibit the development or construction of such housing projects on ceded land that is vacant on or after January 1, 2022.

Your Committee received testimony in support of this measure from Hawaii Public Housing Authority, Hawai'i Association of REALTORS, and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs, Hawai'i Alliance for Progressive Action, and Kupuna for the Mo'opuna. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that according to testimony received by your Committee from the Hawaii Public Housing Authority, concentrating public housing for extremely low-income families in dense urban areas has not shown to be an effective use of scarce affordable housing resources. Instead, a shift has been made to create financially viable and socially stable mixed-income housing by the United States Department of Housing and Urban Development. The Hawaii Public Housing Authority also indicated that the mixed-income and mixed-finance redevelopment model is a proven and successful redevelopment model nationwide and is supported and encouraged by the federal government, which provides the Authority with over \$140,000,000, or eighty-seven percent, of its total yearly funding to house its most disadvantaged populations.

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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2251, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2251, 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 (LoPresti, McDermott).

#### **SCRep. 1127-22 Housing on S.B. No. 2667**

The purpose of this measure is to extend for five years the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing, or issue a new, ground lease for the Front Street Apartments affordable housing project in Lahaina, Maui, before the initiation of condemnation proceedings.

Your Committee received testimony in support of this measure from one member of the Maui County Council. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that there is a severe shortage of affordable rental housing in the County of Maui, particularly in the western part of the island. To address this shortage, the Legislature passed acts in 2018 and 2019 to ensure the continued availability of affordable rental housing in Maui County by preserving the affordability of the Front Street Apartments. The Hawaii Housing Finance and Development Corporation has since acquired the leased fee interest in the Front Street Apartments and was required to initiate condemnation proceedings unless it renegotiated the ground lease for the Front Street Apartments project or issued a new ground lease on terms acceptable to the Corporation by December 31, 2021. However, due to a federal lawsuit, the Corporation was unable to obtain an accurate appraisal of the fair market value of the ground lease for the property for purposes of condemnation or negotiating a ground lease agreement. Therefore, indefinitely extending the December 31, 2021, deadline and applying it retroactively is necessary.

Your Committee has amended this measure by:

- (1) Indefinitely extending the deadline, rather than extending the deadline by five years;
- (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 S.B. No. 2667, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2667, 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 (LoPresti, McDermott).

#### **SCRep. 1128-22 Housing on S.B. No. 2922**

The purpose of this measure is to:

- (1) Authorize each county to determine the appropriateness of allowing a dwelling house on each quarter-acre, rather than each half-acre, of land in rural

districts, under certain circumstances;

- (2) Require the Office of Planning and Sustainable Development to conduct a study to assess the rural district framework within the State's land use law, make recommendations regarding refining rural district policies and permissible uses within the rural districts, and submit reports to the Legislature; and
- (3) Appropriate funds for the Office of Planning and Sustainable Development to conduct the study and complete the reports required by this measure.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development, Planning Department of the County of Hawai'i, Hawai'i Association of REALTORS, and Land Use Research Foundation of Hawaii. Your Committee received testimony in opposition to this measure from the Land Use Commission and Kūpuna for the Mo'opuna. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and Grassroot Institute of Hawaii.

Your Committee finds that under existing law, only one dwelling house is generally permitted on one-half acre of land in a rural district. The housing shortage and affordability crisis in the State necessitates expanded approaches to address this problem. Authorizing each county to adopt ordinances to allow a dwelling house on each quarter-acre of rural land would expand housing opportunities in the respective counties.

Your Committee has amended this measure by:

- (1) Changing the effective date for provisions that authorize each county to determine the appropriateness of allowing a dwelling house on each quarter-acre, rather than each half-acre, of land in rural districts, under certain circumstances, to July 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2922, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2922, S.D. 2, 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, 2 (LoPresti, McDermott).

#### **SCRep. 1129-22 Housing on S.B. No. 2504**

The purpose of this measure is to establish and appropriate funds for the Landlord Incentive Program Special Fund to provide rent reimbursement incentives and reimburse landowners who participate in Hawaii Public Housing Authority voucher programs.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, State Council on Developmental Disabilities, Hawaii Public Housing Authority, Hawai'i State Coalition Against Domestic Violence, Catholic Charities Hawai'i, Partners In Care, Hawai'i Association of REALTORS, AF3IRM Hawai'i, and Hawai'i Health & Harm Reduction Center. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that low-income individuals experience great difficulty in finding affordable rentals due to the lack of affordable rental housing units. Your Committee further finds that reimbursement incentives and protections against excessive property damage will help increase the inventory of affordable housing in the State by encouraging more landlords to participate in rental housing voucher programs. However, your Committee believes that a more extensive approach to incentivizing participation in rental housing voucher programs is necessary to effectively address the lack of affordable housing inventory in the State. H.B. 1752, H.D. 3 (Regular Session of 2022) achieved this by:

- (1) Establishing the Housing Choice Voucher Landlord Incentive Program to provide financial incentives for landlords to participate in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937 and appropriating funds for these incentives;
- (2) Requiring the Hawaii Public Housing Authority to adopt or amend rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (3) Establishing and appropriating funds for inspector and specialist positions within the Hawaii Public Housing Authority for inspections and other aspects related to the Section 8 Housing Choice Voucher Program.

Your Committee further believes that the approach in H.B. 1752, H.D. 3 is preferable as it provides the Hawaii Public Housing Authority more authority in creating a more attractive rental housing voucher program for landlords, thereby increasing the affordable rental housing inventory in the State.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 1752, H.D. 3; and
- (2) Making technical, 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. 2504, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2504, 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 (LoPresti, McDermott).

#### **SCRep. 1130-22 Housing on S.B. No. 879**

The purpose of this measure is to require the counties to provide for the maintenance of infrastructure for any housing development for the Department of Hawaiian Home Lands within sixty days and under certain conditions.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands and Environmental Caucus of the Democratic Party of Hawai'i. Your Committee received comments on this measure from the Honolulu Board of Water Supply.

Your Committee finds that the Department of Hawaiian Home Lands often continues to have the responsibility to maintain infrastructure despite the Department's compliance with county requirements. Your Committee further finds that the counties are uniquely positioned to operate, improve, repair, and maintain infrastructure. Therefore, transferring the responsibility to the counties to maintain the infrastructure, under specified conditions, for any housing development of the Department of Hawaiian Home Lands will enable the Department to use its resources to develop homestead lots to meet the needs of beneficiaries and better focus its efforts on attending to the maintenance and repairs of existing infrastructure under its authority.

Your Committee has amended this measure by:

- (1) Amending its preamble;
- (2) Requiring the infrastructure for any housing development for the Department of Hawaiian Home Lands to be maintained by the county in which the housing development is located in accordance with county standards;
- (3) Requiring that the infrastructure conform to applicable county standards in effect at the time the infrastructure is turned over to the county, rather than at the time of construction;
- (4) Requiring that the infrastructure be connected or adjacent to infrastructure maintained by the county;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 879, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 879, 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 (LoPresti, McDermott).

#### **SCRep. 1131-22 Agriculture/Economic Development on S.B. No. 2284**

The purpose of this measure is to:

- (1) Establish provisions relating to the Department of Agriculture's governing of the business of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as necessary to protect indigenous species;
- (4) Require the Department of Agriculture to prepare programmatic environmental impact reports; and
- (5) Appropriate funds to carry out this measure.

Your Committees received testimony in support of this measure from two individuals. Your Committees received testimony in opposition to this measure from Mahiku A'o Mai. Your Committees received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Department of Land and Natural Resources, and Hawaii Aquaculture & Aquaponics Association.

Your Committees find that diversification of the State's economy is necessary to lessen economic dependence on tourism. The Department of Agriculture indicates that there is tremendous growth potential for the aquaculture industry due to the fact that seafood demand outpaces supply, with world fishery resources quickly being depleted. Local aquacultural production and development have the potential to help the State move toward greater food sustainability and expand job growth in the State.

Your Committees have amended this measure by:

- (1) Inserting an appropriation of an unspecified amount to the Department of Agriculture for operating costs for research, outreach, and marketing and to carry out the purposes of this measure; 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 Agriculture and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2284, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2284, 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.

Agriculture: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

Economic Development: Ayes, 7; Ayes with Reservations (Belatti). Noes, none. Excused, 1 (Okimoto).

#### **SCRep. 1132-22 Agriculture on S.B. No. 2480**

The purpose of this measure is to:

- (1) Authorize the Department of Agriculture, Department of Land and Natural Resources, and Agribusiness Development Corporation to acquire the Wahiawa irrigation system, on terms negotiated and agreed upon by the Office of the Governor, and to purchase, repair, and maintain the associated spillway; and
- (2) Appropriate funds for:
  - (A) The Department of Agriculture to repair and expand the spillway associated with the Wahiawa irrigation system and bring the spillway into compliance with relevant dam safety requirements;
  - (B) The Department of Agriculture to acquire a fee simple interest in the spillway associated with the Wahiawa irrigation system; and
  - (C) The Agribusiness Development Corporation and Department of Land and Natural Resources to manage and maintain their respective acquired portions of the Wahiawa irrigation system.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Crop Improvement Association, Dole Food Company Hawaii, and one individual. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Department of Land and Natural Resources, and Sustainable Hawaii LLC.

Your Committee finds that the Wahiawa irrigation system is critical to providing water to farmers in Waialua and Haleiwa on Oahu. Your Committee further finds that it is in the public interest for the State to acquire the Wahiawa irrigation system and preserve the system for public access and the agriculture industry.

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. 2480, 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; Ayes with Reservations (Marten, Matayoshi, Matsumoto). Noes, 1 (Perruso). Excused, none.

**SCRep. 1133-22 Agriculture on S.B. No. 2615**

The purpose of this measure is to amend the composition of the Board of Agriculture by providing representation from the islands of Lanai and Molokai.

Your Committee received testimony in support of this measure from two members of the Maui County Council, Pūlama Lānaʻi, Red Sea Hawaii Connection LLC, Sensei Ag Farm Lānaʻi, and four individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that representation on the Board of Agriculture from residents of all islands provides desired diversity and statewide representation of knowledge and perspectives in decision making and policymaking. A geographically diverse Board of Agriculture membership will also enable the Board to better address the complex needs of each island's agricultural community and the broader needs of agriculture 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 S.B. No. 2615, 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. 1134-22 Agriculture on S.B. No. 2622**

The purpose of this measure is to establish and appropriate funds for a two-year pilot project on the island of Molokai to grow crops for the production of biodiesel fuels.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, one member of the Maui County Council, Biotechnology Innovation Organization, Pacific Biodiesel Technologies, Hawaiʻi Farm Bureau, Hawaii Bioeconomy Trade Organization, and one individual. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that sustainable agriculture and energy security are critical to the diversification of Hawaii's economy. Establishing a pilot project for the growth of crops for biodiesel fuel production would further efforts to promote agricultural and economic development in the State and provide a renewable energy alternative to petroleum-based diesel fuel.

Your Committee has amended this measure by:

- (1) Broadening applicability of the two-year pilot biodiesel crop pilot project to the State, rather than only to Molokai; and
- (2) Making technical, 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. 2622, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2622, 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. 1135-22 Agriculture on S.B. No. 3096**

The purpose of this measure is to authorize the issuance of general obligation bonds and make an emergency appropriation for the Department of Education to build an agriculture innovation center.

Your Committee received testimony in support of this measure from the Department of Education, one member of the Kauai County Council, Hawaii Climate Change Mitigation and Adaptation Commission, Hawaii Crop Improvement Association, Hawaiʻi Farm Bureau, and three individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that increasing the consumption of locally grown food and promoting healthy eating habits, especially among children, are vital to healthy families and healthy communities. Two recent laws support nutrition education and nutrition knowledge in Hawaii's public schools by prompting schools to purchase and serve locally produced foods in school meal programs. Act 218, Session Laws of Hawaii 2015, created a farm to school program, and Act 175, Session Laws of Hawaii 2021, established the goal that at least thirty percent of food served in public schools be locally sourced by 2030. Your Committee finds that proper facilities are necessary for purchasing, promoting, and serving local foods as part of the farm to school program in Hawaii's public schools. An agriculture innovation center proposed to be funded by this measure would allow the State to grow food locally and teach students about growing food and all aspects of agriculture.

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 S.B. No. 3096, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3096, 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 (Marten, Matayoshi, Matsumoto). Noes, 1 (Perruso). Excused, none.

**SCRep. 1136-22 Agriculture on S.B. No. 3181**

The purpose of this measure is to establish and appropriate funds for a local agriculture transportation cost reimbursement incentive program to be administered by the Department of Agriculture to reimburse eligible agricultural producers for a portion of the producer's costs to transport agricultural commodities associated with air cargo, parcel, or water cargo carrier services.

Your Committee received testimony in support of this measure from the Hawaii Food Industry Association, Ulupono Initiative, Hawaiʻi Farm Bureau, Molokai Farm Bureau, Hawaii Meats, Pacific Biodiesel Technologies, and three individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and Department of the Attorney General.

Your Committee finds that the State depends exclusively on sea and air transportation for distributing agricultural products between islands and to the continental United States. Your Committee also finds that transportation costs of agricultural producers are a critical element to their business. This measure will help offset the costs of transporting agricultural commodities for agricultural producers in the State.

Your Committee has amended this measure by:



- (1) Changing the amount of annual gross receipts that an agricultural producer must have to be eligible to receive reimbursement payments under the local agriculture transportation cost reimbursement incentive program, from a minimum of \$50,000 to an unspecified maximum amount; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes from testimony provided by the Department of the Attorney General that the local agriculture transportation cost reimbursement incentive program established by this measure appears to provide a grant or subsidy that would be subject to Article VII, Section 4 of the Hawaii State Constitution. However, this measure does not include sufficient standards for making grants or other methods of awarding funds that would enable the Department of Agriculture to make the distributions intended by this measure. Your Committee respectfully requests that should your Committee on Consumer Protection and Commerce deliberate on this measure further, that it consider including provisions in this measure that establish sufficient standards for administrative grants.

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. 3181, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3181, 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. 1137-22 Agriculture on S.B. No. 346**

The purpose of this measure is to, beginning on June 30, 2027, prohibit farm owners and operators within the State from knowingly causing the confinement of egg-laying hens in a cruel manner and prohibit business owners and operators from selling shell eggs or egg products from hens that are confined in a cruel manner.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Animal Legal Defense Fund, Hawaiian Airlines, and three individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Farm Bureau, Hawaiian Egg Company dba Mikilua Poultry Farm, Petersons' Upland Farm, and three individuals. Your Committee received comments on this measure from the Department of Agriculture, The Humane Society of the United States, Farm Sanctuary, World Animal Protection, Compassion in World Farming, Animal Equality Hawaii, Center for Biological Diversity, Friends of the Earth, Mercy For Animals, Humane Society International, World Animal Protection US, Animal Outlook, Humane Society Veterinary Medical Association, The Humane League, Down to Earth *Organic and Natural*, American Society for the Prevention of Cruelty to Animals, and Villa Rose.

Your Committee finds that there are no existing laws or regulations in the State establishing confinement standards for egg-laying hens. This measure phases out certain types of extreme, outdated, and cruel methods of farm animal confinement and the sale of products produced using those methods of confinement.

Your Committee notes that shell egg grading exists under the United States Department of Agriculture. Your Committee finds that only shell eggs officially graded by the United States Department of Agriculture are eligible to bear the USDA grademark or shield. Furthermore, only products that are both officially graded and certified by the United States Department of Agriculture as sourced from cage-free flocks are eligible to use the "Certified Cage Free" design. Your Committee does not intend to create additional burdens for egg producers in the State as this measure utilizes existing USDA guidelines for commercial egg products.

Your Committee has amended this measure by:

- (1) Deleting all provisions relating to unlawful confinement of egg-laying hens in a cruel manner and selling of eggs or egg products produced by egg-laying hens confined in a cruel manner;
- (2) Inserting language making it unlawful, beginning January 1, 2028, for a farm owner or operator or a business owner or operator to sell or offer for sale for human consumption any shell egg that has not been certified by the United States Department of Agriculture as being cage free, as evidenced by the United States Department of Agriculture certified cage free grademark or shield;
- (3) Establishing the Cage Free Matching Grant Program within the Department of Agriculture to provide farm owners or operators and business owners or operators with matching grants to assist them in converting their operations to meet the certified cage free requirements;
- (4) Appropriating funds for the Cage Free Matching Grant Program;
- (5) Repealing the Cage Free Matching Grant Program on June 30, 2027;
- (6) Repealing this measure on June 30, 2032; 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 S.B. No. 346, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 346, 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 (Matayoshi, Todd, Matsumoto). Noes, none. Excused, none.

#### **SCRep. 1138-22 Government Reform on S.B. No. 312**

The purpose of this measure is to propose a symbolic amendment to the Hawaii State Constitution to provide that the expenditure of money to influence elections is not a form of free speech protected under the Hawaii State Constitution.

Your Committee received testimony in support of this measure from Common Cause Hawaii.

Your Committee finds that this measure makes clear in the Hawaii State Constitution that freedom of speech does not include the expenditure of money to influence elections.

Your Committee finds that to simply submit a purely symbolic constitutional amendment question to voters will create massive voter disenfranchisement upon learning that this constitutional amendment will have no effect upon the ramifications of *Citizens United*. Your Committee feels that by submitting a straightforward constitutional amendment on the freedom of speech, as applied to entities other than individuals, will trigger another review by the United States Supreme Court on this very issue because of the conflict that now exists between the Hawaii State Constitution and the United States Constitution.

Your Committee has amended this measure by:

- (1) Removing language that provides that the amendment to the Hawaii State Constitution proposed by this measure is symbolic; and

(2) Making technical, 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. 312, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 312, 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 (Ward). Noes, none. Excused, 1 (Mizuno).

#### **SCRep. 1139-22 Government Reform on S.B. No. 2210**

The purpose of this measure is to require the Chief Election Officer, with assistance from the county clerks for elections that involve county offices and countywide ballot issues, to publish and distribute a voters' pamphlet for each election, beginning with the 2024 Primary Election.

Your Committee received testimony in support of this measure from Common Cause Hawaii and one individual. Your Committee received comments on this measure from the Department of the Attorney General and Office of Elections.

Your Committee finds that providing a voters' pamphlet to every registered voter in the State will expand the information provided to registered voters, which in turn will lead to a more informed and engaged public.

Your Committee believes that the preparation, publishing, and distribution of a voters' pamphlet would be best handled by the counties and as such believes this measure should be applicable only to the counties.

Your Committee further finds, however, that to mandate the counties to fund this initiative solely through their own resources, even though the initiative only pertains to them, would violate the unfunded mandate ruling. As such, your Committee intends to amend this measure to require matching funds from the respective county in which the publication applies.

Accordingly, your Committee has amended this measure by:

- (1) Appropriating an unspecified sum for the publication and distribution of a voters' pamphlet by the Chief Election Officer for the 2024 Primary Election and each election thereafter, subject to matching funds provided by the counties; and
- (2) Making technical, 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. 2210, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2210, 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, 3 (Mizuno, Woodson, Ward).

#### **SCRep. 1140-22 Government Reform on S.B. No. 2300**

The purpose of this measure is to allow candidates seeking election to use campaign funds for child care costs or vital household dependent care costs under certain conditions.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Common Cause Hawaii, Women's Caucus of the Democratic Party of Hawai'i, Vote Mama Foundation, American Association of University Women of Hawaii Hilo, Hawai'i Children's Action Network Speaks!, Great Wāhine Run, and seven individuals. Your Committee received comments on this measure from the Campaign Spending Commission.

Your Committee finds that costs for caretaking in Hawaii are cost-prohibitive for many candidates with dependents. Without structural support, children can be a serious barrier to running for office, a barrier that often falls heaviest on women and working families. Your Committee further finds that parenthood and care for one's dependents should not be barriers to running for political office. This measure will reduce the associated cost burdens for running a campaign for political office by providing candidates with some flexibility in how they use campaign funds for a limited purpose.

Your Committee additionally finds that this measure will mirror the federal elections process, which also allows campaign funds to be spent on needed child and dependent care, that was passed by overwhelming bipartisan support in Congress.

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. 2300 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, 3 (Mizuno, Woodson, Ward).

#### **SCRep. 1141-22 Government Reform on S.B. No. 2385**

The purpose of this measure is to authorize agencies procuring professional services to request an exemption from the Hawaii Public Procurement Code if fewer than three qualified persons submit statements of qualifications.

Your Committee received testimony in support of this measure from the Department of Transportation, State Procurement Office, Department of Finance of the County of Kaua'i, and Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received testimony in opposition to this measure from the American Institute of Architects Hawaii State Council. Your Committee received comments on this measure from the American Council of Engineering Companies of Hawaii and one individual.

Your Committee finds that existing law does not allow for an alternative if less than three qualified persons respond to a professional services notice. As a result, professional service procurements may be delayed indefinitely until the minimum number of qualified submissions is obtained. This measure provides state agencies with more timely alternatives to complete procurement of professional services when there are fewer than three qualified submissions.

Your Committee has amended this measure by:

- (1) Deleting language that would authorize agencies procuring professional services to request an exemption from the Hawaii Public Procurement Code if fewer than three qualified persons submit statements of qualifications;
- (2) Inserting language that authorizes an agency to seek approval for the alternative procurement of professional services if fewer than three qualified persons respond to an agency's solicitation; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee accordingly has amended this measure in a manner that will address policy goals without eliminating the competitive bidding process completely should there be less than three qualified professional servicers applying.

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. 2385, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2385, 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, 1 (Mizuno).

#### **SCRep. 1142-22 Government Reform on S.B. No. 2387**

The purpose of this measure is to require agencies to publicly post the justification for cancelling an invitation for bids or request for proposals for a minimum of ten days on a purchasing agency or provider internet site or by any other method the procurement officer deems effective for publicizing the cancellation notice.

Your Committee received testimony in support of this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the preparation and submission of bids and proposals by offerors consume considerable time and resources. Vendors should therefore have the right to know the reason for the cancellation of a contract solicitation by a purchasing agency. Your Committee further finds that posting the reasons for cancellation on an electronic notification system will promote consistency, transparency, and efficiency in government.

Your Committee has amended this measure by:

- (1) Clarifying that the justification for cancellation must be publicly posted on a purchasing agency's or provider's website and by any other method the procurement officer deems effective; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee feels that giving the State Procurement Office the ability to publish the reasoning for cancelling an invitation for bids or requests for proposals by electronic means and by other methods will ensure that any and all interested parties will be given ample opportunities of notice.

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. 2387, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2387, 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, 1 (Mizuno).

#### **SCRep. 1143-22 Government Reform on S.B. No. 2726**

The purpose of this measure is to exempt parking lot operations and ground transportation services at airports and small boat harbors from the mandatory public bidding requirements under the State's procurement laws.

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

Your Committee finds that the public bidding process can create significant delays when a department attempts to replace a parking vendor. Your Committee further finds that this measure will allow departments the ability to create parking plans that are more advantageous to the State and can be tailored to specific locations and conditions on a case-by-case basis.

Your Committee has amended this measure by changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee is concerned that exempting all parking lot contracts from the State Procurement Code as the means to address the handling of funds for contracts from parking lot vendors is vastly overbroad, especially given that there are allegedly multiple vendors that can and will bid on such contracts if given the chance. Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it choose to deliberate on this measure, to look at more precise language that would address this issue without creating a blanket exemption that will raise additional issues of transparency and accountability in parking lot contracts.

Should a Committee on Conference be established to deliberate on this measure, your Committee respectfully requests that the Chairperson of your Committee on Water & Land be included as a co-chair on the Committee on Conference.

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. 2726, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2726, 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; Ayes with Reservations (Ward). Noes, none. Excused, 1 (Mizuno).

#### **SCRep. 1144-22 Government Reform on S.B. No. 3350**

The purpose of this measure is to require that any procurement change order that increases a contract cost by more than fifty percent or substantially changes the scope of work be considered a new contract for procurement purposes, except if the head of a purchasing agency determines that approval of the change order is in the best interest of the State.

Your Committee received testimony in support of this measure from the Department of Transportation and one individual. Your Committee received comments on this measure from the Board of Directors of the Honolulu Authority for Rapid Transportation.

Your Committee finds that procurement often experiences increased costs due to change orders. Your Committee further finds that where a change order increases the contract cost by more than fifty percent, it effectively results in a new and additional procurement that bypasses the procurement process. This measure increases accountability in the procurement process while also giving purchasing agencies the flexibility to address and mitigate unusual circumstances when it is in the best interest of the State.

Your Committee has amended this measure by:

- (1) Removing language that would have required any procurement change order that substantially changed the scope of work of a contract to be considered a new contract for procurement purposes; and

(2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee is still very concerned that mandating a new bidding contract, if the scope increases by fifty percent or more, could create long delays for the projects by having to go through the entire bidding process again, and a large important project, such as the Kihei High School project, could be further delayed if this measure were enacted. Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it choose to deliberate this measure, to reexamine these concerns.

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. 3350, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3350, 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, 1 (Mizuno).

#### **SCRep. 1145-22 Government Reform on S.B. No. 3252**

The purpose of this measure is to:

- (1) Impose a cap on the costs charged for the reproduction of certain government records;
- (2) Waive reproduction costs for the first one hundred pages of a government record if the record's disclosure is in the public interest;
- (3) Waive the cost of duplication of government records provided to requestors in an electronic format;
- (4) Impose a cap on costs charged for searching for, reviewing, and segregating government records; and
- (5) Provide for a waiver of fees when the public interest is served by a government record's disclosure.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Hawaii Chapter of the Society of Professional Journalists, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Design and Construction of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Land and Natural Resources, Department of Budget and Finance, Hawaii State Archives, Office of Information Practices, Employees' Retirement System, Honolulu Police Department, and Grassroot Institute of Hawaii.

Your Committee finds that public records laws are a critical mechanism to maintain government accountability and transparency and support citizen involvement in government decision-making. Your Committee further finds that excessive fees for record requests are an obstacle to any general policy of open government and discourage the public from learning more about government operations.

Your Committee further finds that by limiting the cap on costs for searching for, reviewing, and segregating government records to digital records only will address the concerns that exorbitant resources will be needed to accomplish this requirement.

Your Committee has amended this measure by:

- (1) Removing language that waived the reproduction costs for the first one hundred pages of certain government records if disclosure was in the public's interest;
- (2) Specifying that the cap on costs charged for searching for, reviewing, and segregating government records applies to digital government records; 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 consider appropriating funds for the establishment of ten full-time equivalent staff positions (10.0 FTE) in the Hawaii State Archives to assist with its mission and increase public access to historical documents and artifacts.

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. 3252, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3252, 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, 1 (Mizuno).

#### **SCRep. 1146-22 Government Reform on S.B. No. 3282**

The purpose of this measure is to:

- (1) Authorize the Comptroller to mandate the transfer of governmental records to the State Records Center and the time period at which the records should be transferred; and
- (2) Appropriate monies from the general fund, special funds, and American Rescue Plan funds for the statewide digitization of government records through the Office of Enterprise Technology services.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services. 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 governmental records must be stored and accessible for the entire period of their legal retention schedules and destroyed at the expiration of their retention period. Your Committee further finds that governmental records are most efficiently and effectively managed when they are transferred to mass storage facilities once their immediate business needs have been satisfied. Your Committee believes that it is in the best interest of the State and the public to ensure that governmental records are managed in as cost- and space-effective means as possible.

Your Committee has amended this measure by:

- (1) Deleting language that made appropriations from the general fund, special funds, and American Rescue Plan funds for the digitization of certain government records through the Office of Enterprise Technology Services;
- (2) Inserting a blank appropriation for the Office of Technology Services for operating costs and equipment for the State Records Center and for an unspecified number of full-time equivalent positions at the Hawaii State Archives to assist agencies in the identification and transfer of certain government records to the Hawaii State Archives;
- (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 Finance, should it choose to deliberate on this measure, to consider appropriating \$275,000 to the Office of Enterprise Technology Services for the operating costs and equipment necessary to administer the State Records Center, with \$108,000 of this sum to be used to fund the salary of two full-time equivalent (2.0 FTE) positions within the Hawaii State Archives.

Your Committee respectfully further requests your Committee on Finance to examine whether American Rescue Plan monies are a permissible type of funding for this measure and to examine any impacts on the Elementary and Secondary School Emergency Relief funds received by the State, as noted by the Department of Budget and Finance in their testimony.

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. 3282, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3282, 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, 1 (Mizuno).

#### **SCRep. 1147-22 Energy & Environmental Protection on S.B. No. 2720**

The purpose of this measure is to:

- (1) Allow for new electric vehicle charging stations having a single port to qualify for a rebate under the Electric Vehicle Charging Station Rebate Program (Rebate Program);
- (2) Increase flexibility of the Public Utilities Commission to administer the Rebate Program;
- (3) Increase the maximum percentage of Rebate Program appropriations that may be expended for administrative costs; and
- (4) Allow for marketing and outreach expenses to be included within allowable administration costs of the Rebate Program.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Public Utilities Commission; City and County of Honolulu Department of Design and Construction; City and County of Honolulu Office of Climate Change, Sustainability and Resiliency; Climate Protectors Hawai'i; Maui Nui EV Association; Kauai Climate Action Coalition; Aloha Animal Advocates; Pele Lani Farm LLC; Hawaiian Electric Company; Ulupono Initiative; 350Hawaii.org.; KauaiEV; Kauai Women's Caucus; Kaua'i Island Utility Cooperative; Tesla; Big Island Electric Vehicle Association; Hawaii Electric Vehicle Association; Alliance for Automotive Innovation; Blue Planet Foundation; Retail Merchants of Hawaii; Environmental Caucus of the Democratic Party of Hawai'i; and numerous individuals. Your Committee received comments on this measure from Hawai'i Energy.

Your Committee finds that the State has committed to eliminating fossil fuels from the electricity and ground transportation sectors and to achieving a zero-emissions clean economy in Hawaii by 2045. Additionally, meeting the State's clean energy goals and commitments necessitates the rapid transition to zero-emission vehicles, including supporting electric vehicle charging infrastructure. This measure provides more flexibility in the Rebate Program to ensure that the program is adequately deploying rebates to priority locations in furtherance of the State's clean energy and carbon reduction goals.

Your Committee has amended this measure by:

- (1) Inserting language that appropriates \$500,000 out of the electric vehicle charging system subaccount for fiscal year 2021-2022 for the Electric Vehicle Charging System Rebate Program;
- (2) Inserting language that appropriates \$1,000,000 out of the electric vehicle charging system subaccount for fiscal year 2022-2023 for the Electric Vehicle Charging System Rebate Program;
- (3) Changing the effective date to July 1, 2100, 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. 2720, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2720, 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. 1148-22 Energy & Environmental Protection on S.B. No. 2483**

The purpose of this measure is to:

- (1) Include as an objective in energy-related planning for the State's facility systems that all new utility scale electricity generation projects be renewable;
- (2) Include state policies that ensure short- and long-term provision of adequate, reasonably priced, and dependable energy services and that electrical energy sources are renewable;
- (3) Update the State's policies to prioritize the dispatch of renewable energy generation, include in least-cost determinations the benefits of non-fossil fuel sources to maximize the reduction in consumption of fossil fuels, and include the use of non-fossil fuel sources in the development or expansion of energy systems; and
- (4) Appropriate funds for the Hawaii Natural Energy Institute at the University of Hawaii to study the benefits and costs of dispatching renewable energy resources.

Your Committee received testimony in support of this measure from the Hawai'i Natural Energy Institute, Tawhiri Power LLC, Hawaii Clean Power Alliance, and seventeen individuals. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the successful deployment of renewable energy projects is integral to the State achieving its goal of one hundred percent renewable energy by 2045. Your Committee further finds that in pursuing the development of multiple renewable energy sources throughout the State, it is important to evaluate and align the dispatch of these sources with ongoing state energy planning efforts.

Your Committee has amended this measure by:

- (1) Deleting the preamble, all amendments to the Hawaii State Planning Act to state objectives and policies for energy facility systems, and the appropriation to the Hawaii Natural Energy Institute;

- (2) Specifying that the Hawaii Natural Energy Institute shall evaluate the benefits and costs of dispatching renewable energy resources considering the context of ongoing state energy planning efforts; 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. 2483, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2483, 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. 1149-22 Energy & Environmental Protection on S.B. No. 3325**

The purpose of this measure is to:

- (1) Establish the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program to incentivize carbon sequestration activities through contracts that provide for compensation for eligible practices by program participants; and
- (2) Appropriate funds for positions and administration of the Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Hawai'i County Council, Hawaii Cattlemen's Council, Zero Waste Hawaii Island, The Nature Conservancy – Hawai'i and Palmyra, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Farm Bureau, Environmental Caucus of the Democratic Party of Hawai'i, Hawai'i Alliance for Progressive Action, Kauai Women's Caucus, and fifteen 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, Department of Budget and Finance, and Office of Planning and Sustainable Development.

Your Committee finds that the State needs to reduce its contribution to climate change, increase local food production, improve soil health, and secure resilient water sources. Incentivizing nature-based actions that are soil health and carbon negative provide rich, diverse co-benefits to the State, such as restoring, maintaining, and improving landscape soil health and water security through payment for service programs. This measure would increase the State's food and water security, while also allowing small farmers, ranchers, foresters, and landowners and lessees to be compensated for taking measures to help Hawaii reach its climate readiness goals.

Your Committee has amended this measure by:

- (1) Renaming the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program as the Hawaii Carbon Smart Land Management Assistance Pilot Program (Pilot Program);
- (2) Establishing the Pilot Program as a three-year program under the Department Land and Natural Resources;
- (3) Deleting language that would have required the Greenhouse Gas Sequestration Task Force to establish a review committee to review program applications and submit a report to the Legislature;
- (4) Deleting language that would have appropriated funds to the Office of Planning and Sustainable Development for the administration of the Hawaii Farmland and Forest Soil Health Carbon Smart Incentive Program and five full-time permanent positions;
- (5) Clarifying that the appropriations to the Department of Agriculture and Department of Land and Natural Resources shall be for positions to support the Pilot Program and provide assistance; 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. 3325, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3325, 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. 1150-22 Energy & Environmental Protection on S.B. No. 2510**

The purpose of this measure is to:

- (1) Establish a state energy policy that requires the State to maintain a diversified renewable energy portfolio to include firm and intermittent renewable energy to ensure grid reliability;
- (2) Establish a state energy policy that requires at least fifty-five percent of renewable energy to be generated by firm renewable energy and for renewable energy to replace fossil fuel energy and achieve one hundred percent renewable energy generation;
- (3) Amend other statutory provisions to achieve at least fifty-five percent firm renewable energy generation for each island; and
- (4) Require the Office of Planning and Sustainable Development to update the energy state functional plan.

Your Committee received testimony in support of this measure from the International Longshore and Warehouse Union Local 142, Local 100, and Hawaii Longshore Division; Hawaii Bioeconomy Trade Organization; Pacific Biodiesel Technologies; International Brotherhood of Electrical Workers Local 1260; Par Hawaii; Hawaii Clean Power Alliance; Hawai'i Farm Bureau; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Energy Office, Tawhiri Power LLC, Practical Policy Institute of Hawaii, 350Hawaii.org, Climate Protectors Hawai'i, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, Office of Planning and Sustainable Development, Hawai'i Natural Energy Institute, Hawaiian Electric Company, and Kaua'i Island Utility Cooperative.

Your Committee finds that there is an increasing need to promote renewable energy and sustainability to meet the State's goal of one hundred percent renewable energy by 2045 and the State must consider a variety of renewable energy sources to address the needs of the State and provide clean energy to Hawaii's people. Therefore, it is critical to create a framework of how the State will achieve its goals in an expeditious and thoughtful manner to ensure that residents and businesses benefit from reliable, resilient, and affordable energy.

Your Committee has amended this measure by:

- (1) Deleting its purpose section;

- (2) Clarifying the objectives of state energy policy, including consideration of:
  - (A) A reduction of reliance on energy imports;
  - (B) Ensuring that all new utility scale electricity generation projects are renewable;
  - (C) A balance of grid resources to achieve certain goals and targets;
  - (D) Reliable replacement of fossil fuel generation with balanced grid resources; and
  - (E) Achieving an appropriate balance of firm renewable energy generation with other grid resources;
- (3) Deleting language that would have set a minimum percentage for firm renewable energy generation for each island;
- (4) Deleting language that would have required the Office of Planning and Sustainable Development to submit to the Legislature a concurrent resolution for review of the proposed firm renewable energy generation minimum percentage and proposed extension of fossil fuel generation;
- (5) Deleting language that would have limited the percentage of any one type of renewable energy source for each island;
- (6) Deleting language that would have authorized the Legislature to grant no more than three consecutive three-year extensions related to the prohibition on fossil fuel generation after 2045;
- (7) Clarifying the definition of "firm renewable energy";
- (8) Inserting a definition for "grid resources";
- (9) Deleting language that would have required and appropriated funds for the Office of Planning and Sustainable Development to update the energy state functional plan and submit an annual report to the Legislature regarding the status of the plan and related policies;
- (10) Deleting language that would have required and appropriated funds for the Hawaii Natural Energy Institute to conduct a study to update the minimum percentage of firm renewable generation for each island and maximum proportion of any one renewable energy source on each island; and
- (11) Making technical, 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. 2510, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2510, 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. 1151-22 Energy & Environmental Protection on S.B. No. 2474**

The purpose of this measure is to:

- (1) Require the Public Utilities Commission to establish reliability standards and interconnection requirements for all electric utilities and all users, owners, or operators of the Hawaii electric system;
- (2) Establish a timeline and requirements for interconnection procedures to be established by the Public Utilities Commission for certain utility-scale renewable energy projects;
- (3) Make the Public Utilities Commission's contracting for the Hawaii Electric Reliability Administrator mandatory rather than discretionary; and
- (4) Require the Public Utilities Commission to submit a report and assessment of the Hawaii Electric Reliability Administrator to the Legislature.

Your Committee received testimony in support of this measure from the Hawaii Clean Power Alliance and one individual. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that accelerating the development of renewable energy to reduce greenhouse gases will help the State achieve its goal of a one hundred percent renewable portfolio standard by 2045. However, significant delays in transitioning from fossil fuel plants make it difficult to plan for the design and construction of future utility-scale renewable energy projects. This measure will facilitate the timely interconnection of utility-scale renewable energy projects, helping the State achieve its renewable portfolio standard goals in a timely manner and reducing greenhouse gas emissions.

Your Committee has amended this measure by:

- (1) Deleting certain findings related to electric grid reliability issues;
- (2) Authorizing the Public Utilities Commission to determine timelines and deadlines relating to any interconnection procedures;
- (3) Specifying that the procedures for interconnection also apply to community-based renewable energy projects;
- (4) Deleting language that would have required the Public Utilities Commission to contract for the performance of some of its duties by the Hawaii Electricity Reliability Administrator and submit a report and assessment to the Legislature;
- (5) Changing the effective date to July 1, 2100, 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. 2474, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2474, 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. 1152-22 Energy & Environmental Protection on S.B. No. 2196**

The purpose of this measure is to require cooperative housing corporations, homeowners associations, planned community associations, and condominium associations to develop plans to incorporate zero-emissions fueling stations, including electric vehicle charging stations, onto any of its residential properties that are constructed after January 1, 2023.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Kauai Women's Caucus, Climate Protectors Hawai'i,

Maui Nui EV Association, Kauai Climate Action Coalition, Hawaiian Electric Company, KauaiEV, Big Island Electric Vehicle Association, Tesla, Hawaii Electric Vehicle Association, Pearl City Neighborhood Board No. 21, and numerous individuals. Your Committee received testimony in opposition to this measure from the Building Industry Association of Hawaii and NAIOP Hawaii. Your Committee received comments on this measure from Associa, Community Associations Institute, and Alliance for Automotive Innovation.

Your Committee finds that it is critical to encourage behavior that promotes lower emissions, reduces congestion, and enhances mobility. Zero-emission vehicles, such as electric vehicles, play an integral role in Hawaii's clean energy future and 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 the availability and convenience of necessary infrastructure to support electric vehicle use.

Your Committee has amended this measure by:

- (1) Inserting language to prohibit the issuance of building permits for any new multi-family residential building that has ten or more parking stalls, unless the building's parking stalls are electric vehicle charger ready;
- (2) Changing the term "fueling station" to "infrastructure" and the term "charging station" to "charging 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 Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2196, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2196, 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. 1153-22 Energy & Environmental Protection on S.B. No. 2511**

The purpose of this measure is to expand the renewable energy technologies income tax credit to include firm renewable energy systems, with the credit capped at the lesser of a percentage of the actual cost or \$750,000 per system.

Your Committee received testimony in support of this measure from the Hawaii Bioeconomy Trade Organization, Hawaiian Electric Company, Par Hawaii, Hawaii Clean Power Alliance, and seventeen individuals. Your Committee received testimony in opposition to this measure from 350Hawaii.org and one individual. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Hawaii State Energy Office, Climate Protectors Hawai'i, and Tax Foundation of Hawaii.

Your Committee finds that the development of utility-scale renewable energy is critical to meeting the State's clean energy and carbon reduction goals. Because the development of firm renewable energy systems requires a significant outlay of investment and resources, this measure provides incentives through tax credits to develop more firm renewable energy generation based on local resources, improving the State's energy diversity, reliability, and stability.

Your Committee has amended this measure by:

- (1) Clarifying that the tax credit shall be based on the total output capacity of a firm renewable energy system, to be consistent with how other existing renewable energy systems are measured;
- (2) Clarifying the definition of "firm renewable energy system" by inserting a definition for "renewable energy";
- (3) Making the renewable energy technologies income tax credit unavailable for renewable energy technology systems installed and placed in service after December 31, 2045; 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. 2511, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2511, 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. 1154-22 Energy & Environmental Protection on S.B. No. 2570**

The purpose of this measure is to:

- (1) Rename the Electric Vehicle Charging System Rebate Program as the Zero-Emission Vehicle Infrastructure Rebate Program (Rebate Program) and expand the Rebate Program to apply to hydrogen refueling stations in addition to electric vehicle charging systems;
- (2) Allow the installation of a new zero-emission vehicle fueling system to a hydrogen refueling station or upgrade of an existing zero-emission vehicle fueling system to a hydrogen refueling station to qualify for the Rebate Program; and
- (3) Increase the maximum total rebate amount that may be issued per year under the Rebate Program.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Servco Pacific Inc., Ulupono Initiative, Hawai'i Gas, Alliance for Automotive Innovation, and one individual. Your Committee received testimony in opposition to this measure from the Kauai Women's Caucus, KauaiEV, Hawaii Electric Vehicle Association, Climate Protectors Hawai'i, Maui Nui EV Association, Environmental Caucus of the Democratic Party of Hawai'i, Kauai Climate Action Coalition, Aloha Animal Advocates, Pele Lani Farm LLC, 350Hawaii.org, and numerous individuals. Your Committee received comments on this measure from the Public Utilities Commission, Hawai'i Energy, and one individual.

Your Committee finds that zero-emission vehicles play an integral role in Hawaii's clean energy future. With the continued growth of electric vehicle adoption by consumers, expanding the types of zero-emission vehicle fueling systems that qualify for the rebate program will provide additional clean energy infrastructure and clean mobility solutions for Hawaii residents and visitors.

Your Committee has amended this measure by:

- (1) Establishing a new Zero-Emission Vehicle Fueling System Rebate Program, rather than adding the installation and upgrade of hydrogen refueling stations to the Electric Vehicle Charging System Rebate Program;
- (2) Establishing a hydrogen fueling system subaccount within the Public Utilities Commission Special Fund;
- (3) Reducing the allocation that the Energy Systems Development Special Fund receives from the Environmental Response, Energy, and Food Security



Tax from 8 cents to 5 cents and allocating the difference to the hydrogen fueling system subaccount; 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. 2570, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2570, 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 (Perruso, Tokioka, Matsumoto). Noes, 1 (Matayoshi). Excused, none.

#### **SCRep. 1155-22 Education on S.B. No. 3209**

The purpose of this measure is to appropriate funds to the Department of Education for fiscal year 2022-2023 for twenty-one additional hours of professional development for teachers.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawaii at Manoa College of Education, State Public Charter School Commission, Hawaii Teacher Standards Board, Hawaii State Teachers Association, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that professional development for teachers is a vital way to ensure teachers can use the best, research-based educational practices within their classrooms. Your Committee further finds that in the collectively-bargained agreement between the Board of Education and the exclusive representative of bargaining unit (5), representing teachers, there was a memorandum of understanding that allowed for twenty-one additional hours to be added to the teachers' workday without students. These twenty-one hours were to be used for job-embedded professional development to provide benefits, including a formalized structure for organizing training and learning time, reducing the need for substitute teachers, and eliminating teacher absences from classes for training. However, this memorandum of understanding expired on June 30, 2021, and because funding was not available, the memorandum of understanding was not renewed. This measure will provide the funding for the twenty-one hours for teachers to use for professional development.

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. 3209, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Ohno, Okimoto).

#### **SCRep. 1156-22 Education on S.B. No. 2820**

The purpose of this measure is to appropriate funds for various teacher differentials to address various labor shortages in the areas of special education, hard-to-staff geographic locations, and Hawaiian language immersion programs.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, University of Hawaii at Mānoa College of Education, Hawaii Teacher Standards Board, Democratic Party of Hawai'i Education Caucus, 'Aha Kauleo, Hawaii State Teachers Association, Democratic Party of Hawaii Labor Caucus, Hui for Excellence in Education, Early Childhood Action Strategy, Special Education Advisory Council, and numerous individuals. Your Committee received testimony in support of this measure from the Executive Office on Early Learning. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining and one individual. Your Committee received comments on this measure from the Department of Budget and Finance; Employees' Retirement System; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the recruitment and retention of qualified teachers is essential to the success of Hawaii's public education system. Your Committee further finds that the State continues to face a chronic teacher shortage in special education positions, hard-to-staff geographic locations, and Hawaiian language immersion programs. This measure will appropriate funds for teacher differentials that will help to address the State's teacher shortage in these areas.

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. 2820, S.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Labor & Tourism.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Ohno, Okimoto).

#### **SCRep. 1157-22 Education on S.B. No. 1347**

The purpose of this measure is to require the Department of Education to offer training to teachers and school staff on how to prevent and respond to potential cases of sex trafficking.

Your Committee received testimony in support of this measure from the Democratic Party of Hawai'i Education Caucus, Imua Alliance, Hawaii Children's Action Network Speaks!, Hawaii State Teachers Association, and Hawaii Youth Services Network. Your Committee received testimony in support of the intent of this measure from the Department of Education and Department of Human Services.

Your Committee finds that sexual exploitation of children is a serious problem in the State and can be best addressed by increasing awareness and training within state agencies. Your Committee further finds that this measure will provide the training necessary for teachers, educational officers, and other Department of Education staff to protect Hawaii's public school students from sexual exploitation.

Your Committee has amended this measure by:

- (1) Authorizing, rather than requiring, the Department of Education to offer training to teachers and school staff on how to prevent and respond to potential cases of sex trafficking;
- (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. 1347, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1347, 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, 2 (Ohno, Okimoto).

**SCRep. 1158-22 Education on S.B. No. 2823**

The purpose of this measure is to establish and appropriate funds for a Nationally Certified School Psychologist Incentive Program within the Department of Education.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hui for Excellence in Education; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Association of School Psychologists; and twenty individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Education.

Your Committee finds that the establishment of a Nationally Certified School Psychologist Incentive Program will help the State address the critical shortage of accredited school psychologists and will support children and youth by providing them access to professionals who engage in high quality, evidence-based practices.

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. 2823, 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, 11. Noes, none. Excused, 2 (Ohno, Okimoto).

**SCRep. 1159-22 Education on S.B. No. 2819**

The purpose of this measure is to:

- (1) Provide the Department of Education with the flexibility to allocate teacher compensation by repealing section 302A-627(a), Hawaii Revised Statutes; and
- (2) Appropriate funds for an experimental modernization project pursuant to section 78-3.5, Hawaii Revised Statutes, to address compensation equity issues and to make the necessary discretionary salary adjustments for certain teachers.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Standards Board, Aha Kauleo, Democratic Party of Hawaii Labor Caucus, and numerous individuals.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed H.D. 1, which retained the contents of this measure and inserted language that statutorily establishes a teacher effectiveness support system, which:

- (1) Provides automatic step increases in salaries for each year of satisfactory service completed by educational assistants, public school teachers, and principals and vice principals; and
- (2) Increases the amount of time available to teachers for planning, preparation, and collaboration.

Your Committee received testimony in support of the proposed H.D. 1 from the University of Hawai'i at Mānoa College of Education, State Public Charter School Commission, Democratic Party of Hawai'i Education Caucus, Hawaii State Teachers Association, and Hui for Excellence in Education. Your Committee received testimony in support of the intent of the proposed H.D. 1 from the Executive Office on Early Learning. Your Committee received testimony in opposition to the proposed H.D. 1 from the Office of Collective Bargaining. Your Committee received comments on the proposed H.D. 1 from the Department of Education; Department of Budget and Finance; Employees' Retirement System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the recruitment and retention of qualified teachers is essential to the success of the State's public education system. Your Committee further finds that Hawaii continues to face a chronic teacher shortage, which undermines student learning and achievement. Your Committee notes that teacher salaries are inequitable when experienced senior teachers are aligned with less senior teachers in their placement within the existing salary schedules, often causing experienced teachers to retire or leave the profession. This measure will help address the State's chronic teacher shortage by making necessary discretionary salary adjustments for teachers by more closely basing salaries upon years of teaching experience.

Your Committee also finds that a step increase in salary for Department of Education staff for every additional year of public school service will help to retain experienced staff within the State's public school system. Additionally, providing teachers adequate time to prepare lessons and collaborate with colleagues to meet the needs of their students will greatly benefit Hawaii's children.

Your Committee has amended this measure by adopting the proposed H.D. 1. Your Committee has further amended the measure by:

- (1) Clarifying that teachers assigned to a school-level classroom instructional position shall be provided a minimum of forty-five continuous minutes per week, two times per week, for collaboration with peers;
- (2) Implementing the teacher collaboration provision beginning with the 2023-2024 school year;
- (3) Repealing of section 302A-624(c), Hawaii Revised Statutes;
- (4) Appropriating an unspecified amount of funds for the teacher effectiveness support system; 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. 2819, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2819, 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, 11. Noes, none. Excused, 2 (Ohno, Okimoto).

**SCRep. 1160-22 Housing on S.B. No. 206**

The purpose of this measure is to prohibit discrimination in real estate advertisements and transactions based on participation in a housing assistance program or requirements related to participation in housing assistance programs.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Hawaii Public Housing Authority, Hawai'i Civil Rights Commission, State Council on Developmental Disabilities, Hawai'i State Commission on the Status of

Women, HOPE Services Hawaii, Ko'olaupoko Hawaiian Civic Club, Hawai'i State Coalition Against Domestic Violence, Hawaii Children's Action Network Speaks!, Catholic Charities Hawai'i, Partners In Care, St. Michael the Archangel Church, American Civil Liberties Union of Hawai'i, Planning for Community LLC, Family Promise of Hawaii, AF3IRM Hawai'i, Hawai'i Appleseed Center for Law & Economic Justice, Hawai'i Health & Harm Reduction Center, Stonewall Caucus of the Democratic Party of Hawai'i, and nine individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS and one individual.

Your Committee finds that the federal Fair Housing Act does not prohibit source of income discrimination; however, in recent years several states and Washington, D.C., have enacted laws that prohibit discrimination in housing based on lawful sources of income, including housing vouchers as a source of income. Additionally, source of income laws do not alter or restrict standard industry practices to vet prospective renters. Your Committee further finds that studies have shown that when there are laws to prevent discrimination against renters with housing vouchers, such renters are twelve percent more likely to find housing. In December 2021, the Hawaii Interagency Council on Homelessness prioritized addressing upfront barriers to accessing housing, such as source of income discrimination in rental housing, as a key priority for this legislative session.

Your Committee has amended this measure by:

- (1) Removing provisions related to blockbusting and other discrimination in real estate transactions based on participation in a housing assistance program or requirements related to participation in housing assistance programs;
- (2) Deleting the requirement that the Executive Director of the Hawaii Civil Rights Commission produce and publicize materials related to source of income discrimination in housing;
- (3) Narrowing the scope of rental discrimination based on source of income in the measure;
- (4) Establishing exemptions and amending the available remedies related to discriminatory practices in a rental transaction based on source of income;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 206, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 206, 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 (LoPresti, McDermott).

#### **SCRep. 1161-22 Housing on S.B. No. 3324**

The purpose of this measure is to establish a working group to address housing subdivision infrastructure repair and maintenance for planned housing subdivisions that do not have compulsory community associations in counties with populations greater than 170,000 but less than 300,000.

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

Your Committees find that there is a lack of guidance on the rights and responsibilities of homeowners regarding housing subdivision infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory homeowners or community associations. Your Committee also finds that these homeowners need a mechanism whereby they can organize an association to collect any fees required to repair and maintain infrastructure that abuts their property. This measure will create a task force to determine how to address this problem.

Your Committee has amended this measure by:

- (1) Specifying that the infrastructure repair and maintenance issues addressed by this measure relate to planned housing subdivisions that do not have compulsory homeowner, rather than community, associations;
- (2) Amending the composition of the working group;
- (3) Expanding the responsibilities of the working group to include addressing the location, condition, and cost of improving and maintaining substandard and deteriorating roads and other infrastructure and the development of one or two homeowner associations;
- (4) Requiring the working group to submit the report to the Legislature prior to the Regular Session of 2024 rather than the Regular Session of 2023;
- (5) Dissolving the working group on June 30, 2024, instead of on June 30, 2023;
- (6) Appropriating an unspecified amount of funds for the working group to be matched and expended by a county with a population greater than 170,000 but less than 300,000; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that should your Committee on Finance deliberate on this matter further, that it consider appropriating \$250,000 for fiscal year 2022-2023, to be matched by funds from a county with a population greater than 170,000 but less than 300,000.

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. 3324, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3324, 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 (LoPresti, McDermott).

#### **SCRep. 1162-22 Housing on S.B. No. 3247**

The purpose of this measure is to address the housing needs of native Hawaiians who are currently on the Department of Hawaiian Home Lands application waitlist for homestead leases by requiring the Department of Hawaiian Home Lands to build sufficient rental housing, including apartment units and rent-with-option-to-buy housing units.

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 and Department of the Attorney General.

Your Committee finds that in 2019, approximately 28,500 native Hawaiian adults were on the Department of Hawaiian Home Lands application waitlist for residential, farming, or ranching homesteads. The homelessness crisis in Hawaii is already serious, and the waitlist backlog exacerbates this crisis that already disproportionately affects native Hawaiians.

Your Committee further finds that this measure requires the Department of Hawaiian Home Lands to build sufficient rental housing, including apartment units and rent-with-option-to-buy housing units. However, according to testimony received by your Committee from the Department of Hawaiian Home Lands, its 2020 Beneficiaries Study Applicant Report indicated that seventy-six percent of applicants on the Department's waitlist preferred a lot with a single-family home or vacant lot for a house, while sixteen percent preferred a rental apartment, duplex, or townhouse, with the option to buy.

Your Committee has amended this measure by:

- (1) Deleting provisions that would have required the Department of Hawaiian Home Lands to build sufficient rental housing to satisfy the housing needs of native Hawaiians currently on the waitlist for homestead leases;
- (2) Requiring the Department of Hawaiian Home Lands to develop a strategic plan to meet certain housing preferences of waitlist applicants and submit the strategic plan to the Legislature no later than December 10, 2022;
- (3) Specifying that the strategic plan shall be divided by county and include recommended waitlist policies for native Hawaiians who are on the Department of Hawaiian Home Lands waitlist and receive mortgage or down payment assistance from the Department or who opt to live in rental housing developed by the Department; 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. 3247, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3247, 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 (LoPresti, McDermott).

#### **SCRep. 1163-22 Housing/Water & Land on S.B. No. 2583**

The purpose of this measure is to exempt non-ceded lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation from classification as public lands subject to Department of Land and Natural Resources management.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation. Your Committees received testimony in opposition to this measure from the Ko'olaupoko Hawaiian Civic Club and Ka Leo O Nā 'Ōpio. 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 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.

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. 2583, S.D. 2, and recommend that it pass Second Reading and be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 7. Noes, none. Excused, 2 (LoPresti, McDermott).

Water & Land: Ayes, 7; Ayes with Reservations (Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1164-22 Housing/Water & Land on S.B. No. 3261**

The purpose of this measure is to facilitate affordable housing development. Specifically, this measure:

- (1) Establishes the ALOHA Homes Program to facilitate the creation of low-cost, high-density leasehold homes for sale to Hawaii residents on state-owned lands near public transit stations;
- (2) Authorizes the Hawaii Housing Finance and Development Corporation to sell the leasehold interest in residential condominium units located on state lands for lease terms of ninety-nine years;
- (3) Exempts non-ceded lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation from classification as public lands subject to Department of Land and Natural Resources management;
- (4) Requires the Hawaii Housing Finance and Development Corporation to conduct a detailed market study of leasehold housing in the State;
- (5) Requires the Hawaii Housing Finance and Development Corporation to convene a working group to study the implementation of the ALOHA homes program; and
- (6) Appropriates funds for the Hawaii Housing Finance and Development Corporation to implement the ALOHA Homes Program.

Your Committees received testimony in support of this measure from the Policy Advisory Board for Elder Affairs, Church of the Crossroads; Faith Action for Community Equity; Habitat for Humanity Hawaii Island, Inc.; Community Alliance Partners; and four individuals. Your Committees received testimony in opposition to this measure from the Hawaii Housing Finance and Development Corporation, Sierra Club of Hawai'i, Jr. Ko'olaupoko Hawaiian Civic Club, Ka Leo O Nā 'Ōpio, Kupuna for the Mo'opuna, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Grassroot Institute of Hawaii, Hawaii Budget and Policy Center, and one individual.

Your Committees find that the cost and availability of housing in the State, particularly for low- to middle-income families, are significant challenges for Hawaii residents. The State and housing developers have not been able to produce enough affordable housing due to several barriers that hinder the production of new housing, such as geographic limitations, lack of major infrastructure, construction costs, and government regulation.

Your Committees recognize that development of affordable housing is a lengthy and complex development process that requires in-depth knowledge of the costs and factors associated with development. One solution to the affordable housing shortage is to have the State and counties work together to implement leasehold housing for local residents. Your Committees find that state-supported leasehold housing can offer more affordable ownership options than the private market and can be reserved entirely for local residents. The formation of a working group can help determine the best framework for how state and county agencies can work together to create leasehold housing options for residents and support housing options that are a component of providing affordable homes in the State.

Your Committees have amended this measure by:

- (1) Deleting provisions that would have established the ALOHA Homes Program;

- (2) Deleting provisions that would have authorized the Hawaii Housing Finance and Development Corporation to sell the leasehold interest in residential condominium units located on state lands;
- (3) Deleting provisions that would have exempted non-ceded lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation from classification as public lands;
- (4) Deleting provisions that would have required the Hawaii Housing Finance and Development Corporation to conduct a market study of leasehold housing;
- (5) Requiring the Hawaii Housing Finance and Development Corporation to convene a working group in cooperation with the counties and other housing experts to study the implementation of leasehold housing on publicly-owned, non-ceded lands near public transit stations in each county;
- (6) Specifying the membership of the working group and the focus of the working group's study;
- (7) Requiring the working group to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than December 10, 2023;
- (8) Changing the appropriation to support the activities of the working group;
- (9) Updating the preamble; and
- (10) 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. 3261, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3261, 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, 8. Noes, none. Excused, 1 (McDermott).

Water & Land: Ayes, 7; Ayes with Reservations (Kong). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1165-22 Water & Land on S.B. No. 2382**

The purpose of this measure is to prohibit the issuance of cabaret licenses to any premises located within an apartment mixed use subprecinct within a special improvement or special district in which the economy is primarily based on tourism.

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

Your Committee finds that certain establishments holding class 11 cabaret licenses issued by county liquor authorities have created public safety and noise issues for residents and visitors, especially in resort areas where cabarets are permitted to conduct business until 4:00 a.m. throughout the entire week. This measure would restrict the issuance of cabaret licenses within the apartment mixed use subprecinct of the Waikiki Special District to assist with reducing noise and crime, strengthening public safety, and improving the quality of life for residents and visitors.

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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2382, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2382, 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. 1166-22 Water & Land on S.B. No. 2767**

The purpose of this measure is to make a one-time appropriation to the Department of Land and Natural Resources to bring the State's program of fish aggregation devices up to full capacity.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; and seven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State's system of fish aggregation devices, maintained by the Hawaii Institute of Marine Biology, provides enhanced fishing opportunities for island fishers. According to the Department of Land and Natural Resources, an average of fifteen fish aggregation devices go missing each year, and the Department has been unable to keep up with the replacement of missing devices. A one-time infusion of funds to replace off-station fish aggregation devices and to replace devices in the coming year would bring the Fish Aggregation Device Program back to full capacity.

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. 2767, 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 (McDermott).

#### **SCRep. 1167-22 Water & Land on S.B. No. 3027**

The purpose of this measure is to include in the State's policies for the physical environment under the Hawaii State Planning Act the development of a statewide beach assessment study and a beach and shoreline restoration and conservation plan to regularly assess beach and shoreline erosion and develop feasible beach and shoreline restoration or conservation options.

Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

Your Committee finds that by safeguarding the health of Hawaii's beaches and shorelines, this measure will benefit coastal ecosystems, public beach and shoreline access, recreational opportunities, cultural practices, and the State's tourism-driven economy.

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. 3027, 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 (McDermott).

**SCRep. 1168-22 Water & Land on S.B. No. 2757**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the development of a comprehensive inventory of historic properties and burial sites, including for a state-of-the-art archaeological surface survey integrating the use of remote sensing, aerial, and satellite imagery; data collection on the location of burial sites; and an inventory of historic buildings, structures, and other properties.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and Historic Hawai'i Foundation. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that comprehensive statewide inventories of historic properties and burial sites are critical to managing and protecting these places in Hawaii. Your Committee further finds that the absence of comprehensive statewide inventories can delay project planning because developers, planners, and state and county agencies lack key information on the location of historic properties and burial sites.

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. 2757, 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 (McDermott).

**SCRep. 1169-22 Water & Land on S.B. No. 2766**

The purpose of this measure is to require the Office of Planning and Sustainable Development to perform a study to assess the rural district framework within the land use law and make recommendations for revisions to rural district policies and permissible uses within the rural district, including a legal analysis of regulatory issues and safeguards that must be addressed to facilitate the reclassification of lands from the agricultural district to the rural district.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawai'i Farm Bureau, and two individuals. Your Committee received testimony in opposition to this measure from the Land Use Commission and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Office of Planning and Sustainable Development completed a state land use review of districts report pursuant to section 205-18, Hawaii Revised Statutes, in January 2022, which found that the potential for preserving much of Hawaii's open space, rural communities, and working lands may be realized by redefining the policy framework for the rural district and facilitating the reclassification of lands from the agricultural to the rural district to accommodate lower-density rural settlement patterns and subsistence farming lifestyles. This measure would facilitate greater use of the rural district, distinguish rural communities and subsistence farms from working or commercial agricultural lands, and allow better protection of productive agricultural 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 S.B. No. 2766, 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 (McDermott).

**SCRep. 1170-22 Water & Land on S.B. No. 2768**

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 an agreement for the administration of a green jobs youth corps to provide temporary work and training opportunities in the fields of natural resource management, agriculture, or other sustainability-related professions to young adults ages thirty-eight and younger; and
- (2) Require the Department to partner with an organization that has received accreditation from the Corps Center of Excellence Accreditation Program or has at least ten years of experience providing similar programming statewide in the State, or both.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i State Energy Office, Kupu, The Nature Conservancy - Hawai'i and Palmyra, Hawai'i Forest Industry Association, Hawaii Fish Company Inc., Re-use Hawai'i, Hawai'i Green Fee, Food+ Policy Internship 2022, Climate Protectors Hawaii, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Act 9, Session Laws of Hawaii 2020, established a workforce and training program that, among other achievements, funded a short-term green jobs program. Your Committee further finds that Act 181, Session Laws of Hawaii 2021, subsequently authorized the Governor to designate the Department of Land and Natural Resources to administer or enter into an agreement or agreements for the administration of a green jobs youth corps program to provide temporary work and training opportunities in natural resource management, agriculture, conservation, renewable energy, or other sustainability professions, prioritizing participation by young adults between twenty and forty years of age. The nonprofit organization Kupu was selected to administer the green jobs youth corps program.

Your Committee further finds that under the green jobs youth corps program, known as the Kupu Aina Corps, over three hundred fifty displaced workers and recent graduates were matched with work and training opportunities across the State. Kupu's partnership with conservation and agricultural host sites enabled individuals to work in their own communities while also supporting Hawaii's economy and environment. This measure promotes economic diversification in the State in partnership with a qualified community organization.

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. 2768, 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 (McDermott).

**SCRep. 1171-22 Water & Land on S.B. No. 2626**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources' Division of State Parks, Maui Parks Section, for the purchase of additional vehicles.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Maui Hotel & Lodging Association,

and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the aging vehicles currently used by the Maui Parks Section of the Division of State Parks require frequent maintenance and costly repairs. The vehicles funded by this measure are necessary for the Division of State Parks to perform its duties safely and efficiently.

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. 2626, 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 (McDermott).

#### **SCRep. 1172-22 Water & Land on S.B. No. 872**

The purpose of this measure is to add the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, as an ex officio, voting member of the Commission on Water Resource Management.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Aha Moku, League of Women Voters of Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Hui Iwi Kuamo'o, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that including the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designated representative, as an ex officio, voting member of the Commission on Water Resource Management would directly advance and protect the interests of the beneficiaries of the Hawaiian Homes Commission Act.

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. 872, 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; Ayes with Reservations (B. Kobayashi). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1173-22 Water & Land on S.B. No. 2398**

The purpose of this measure is to:

- (1) Create the Pulehunui Community Development District to allow for planning, development, and maintenance of public lands in Pulehunui, Maui; and
- (2) Amend the Hawaii Community Development Authority membership to include the Director of Business, Economic Development, and Tourism, Chairperson of the Board of Land and Natural Resources, and director of the department of planning and permitting of each county, or their respective designees, in which a community development district is located.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Hawaiian Home Lands, and Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from the League of Women Voters of Hawaii and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the public lands in Pulehunui, Maui, are relatively underdeveloped and have strong potential for increased growth and development that can provide for the community's needs. Your Committee further finds that this measure allows the State to retain greater authority over the Hawaii Community Development Authority, which is a state-level agency.

Your Committee has amended this measure by:

- (1) Removing the provision that any rules that the Hawaii Community Development Authority may adopt on health, safety, building, planning, zoning, and land use for the Pulehunui Community Development District shall preempt all other inconsistent county ordinances and county rules relating to the use, zoning, planning, and development of land and construction within the District; and
- (2) Making technical, 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. 2398, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2398, 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. 1174-22 Higher Education & Technology on S.B. No. 3038**

The purpose of this measure is to allow each member of the Information Privacy and Security Council to designate a designee to act on the member's behalf in order to ensure quorum at meetings.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services.

Your Committee finds that due to competing work priorities, the members of the Information Privacy and Security Council are often unable to attend meetings, resulting in the delay of important discussions and decision-making by the Council due to a lack of quorum. Your Committee further finds that for the sake of efficiency and flexibility, it is in the best interest of the public to allow each member of the Information Privacy and Security Council to appoint a designee to act on the member's behalf to ensure quorum.

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. 3038 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, 13. Noes, none. Excused, none.

#### **SCRep. 1175-22 Labor & Tourism on S.B. No. 2782**

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; Hawaii Health

Systems Corporation; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (1) have reached an agreement, which was later ratified by the unit's members.

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. 2782, 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, 5. Noes, none. Excused, 3 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1176-22 Labor & Tourism on S.B. No. 2783**

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 Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2783, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2783, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1177-22 Labor & Tourism on S.B. No. 2784**

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 Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2784, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2784, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1178-22 Labor & Tourism on S.B. No. 2785**

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 Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2785, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2785, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1179-22 Labor & Tourism on S.B. No. 2786**

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 finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2786, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2786, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1180-22 Labor & Tourism on S.B. No. 2787**

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.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2787, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2787, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1181-22 Labor & Tourism on S.B. No. 2788**

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 finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2788, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2788, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1182-22 Labor & Tourism on S.B. No. 2789**

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.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2789, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2789, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1183-22 Labor & Tourism on S.B. No. 2790**

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 Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that the State and the exclusive representative of collective bargaining unit (9) have reached an agreement, which was later ratified by the unit's members.

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. 2790, 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, 5. Noes, none. Excused, 3 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1184-22 Labor & Tourism on S.B. No. 2791**

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.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2791, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2791, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1185-22 Labor & Tourism on S.B. No. 2792**

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, IAFF, AFL-CIO.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2792, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2792, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1186-22 Labor & Tourism on S.B. No. 2794**

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 Health Systems Corporation; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2794, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2794, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1187-22 Labor & Tourism on S.B. No. 2795**

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.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2795, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2795, 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 (Holt, D. Kobayashi, Quinlan).

**SCRep. 1188-22 Labor & Tourism on S.B. No. 2796**

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 (15) and their excluded counterparts.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that this measure provides a legislative vehicle that can be used if a collective bargaining agreement is reached or an arbitration award is issued prior to the end of the Regular Session of 2022.

Your Committee has amended this measure by changing the lapsing provision to clarify that funds appropriated or authorized for fiscal year 2021-2022 shall not lapse until the end of fiscal biennium 2021-2023.

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. 2796, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2796, 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 (Holt, D. Kobayashi, Quinlan).

#### **SCRep. 1189-22 Economic Development on S.B. No. 2303**

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 if the taxpayer files an annual return.

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

Your Committee finds that existing law requires all taxpayers to file periodic general excise tax returns on a monthly, quarterly, or semiannual basis depending on the total general excise tax liability each year. Your Committee further finds that any taxpayer who has a general excise tax liability as little as \$100 is still burdened with filing a semiannual return. This measure alleviates that burden by exempting a taxpayer whose tax liability does not exceed \$100 from this requirement, as long as the taxpayer files an annual return.

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. 2303 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 (Okimoto).

#### **SCRep. 1190-22 Economic Development on S.B. No. 2805**

The purpose of this measure is to:

- (1) Establish the Hawaii Start-Up Business Loan Program and Hawaii Start-Up Business Loan Program Revolving Fund; and
- (2) Appropriate funds for the Hawaii Start-Up Business Loan Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Hawaii Food Industry Association; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State is in need of an alternative source of financial assistance for new businesses and enterprises to expand and succeed in Hawaii. Many businesses that began during the coronavirus disease 2019 pandemic are having difficulty accessing capital at reasonable rates and terms. This measure would provide immediate working capital and equipment to new businesses and encourage the diversification of economic opportunities for the State's residents.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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 S.B. No. 2805, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2805, 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 (Okimoto).

#### **SCRep. 1191-22 Economic Development on S.B. No. 2167**

The purpose of this measure is to:

- (1) Establish the motion picture, digital media, and film infrastructure tax credit; and
- (2) Appropriate funds for staff to manage the motion picture, digital media, and film infrastructure tax credit.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; University of Hawai'i System; and Island Film Group. Your Committee received testimony in opposition to this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Budget and Finance, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the State's successful diversification of the economy through the film production industry is currently constrained by the severe lack of physical infrastructure. Your Committee further finds that the Hawaii Film Studio is the only stage complex in the entire State, which can only accommodate one television production at a time and is not fit for any large films. This measure is intended to incentivize the establishment of necessary film related infrastructure to attract more productions to the State, thereby generating more revenue and creating more jobs for residents.

Your Committee has amended this measure by:

- (1) Changing the amount of the tax credit to an unspecified percentage of the eligible infrastructure costs made by a taxpayer;
- (2) Changing the following to unspecified amounts:
  - (A) The total amount of tax credits allowed in any year; and

(B) The minimum amount of eligible infrastructure costs a film infrastructure project must have to qualify for the tax credit;

- (3) Changing the effective date to October 18, 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 S.B. No. 2167, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2167, 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 (D. Kobayashi). Excused, 1 (Okimoto).

#### **SCRep. 1192-22 Economic Development on S.B. No. 2376**

The purpose of this measure is to:

- (1) Repeal the deferred payment purchase option for cigarette tax stamps; and
- (2) Require licensees to pay for cigarette tax stamps at the time of purchase using cash, certified check, or bank transfer.

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 existing law authorizes deferred payment purchases for cigarette stamp fees. However, your Committee finds that deferred payment purchase of cigarette stamps is no longer necessary and that having the taxpayer pay upon purchase is the most efficient way to administer the cigarette stamp program.

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. 2376, 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 (Okimoto).

#### **SCRep. 1193-22 Culture, Arts, & International Affairs on S.B. No. 915**

The purpose of this measure is to authorize the issuance of special number plates to recognize and honor Duke Kahanamoku.

Your Committee received testimony in support of this measure from the Outrigger Duke Kahanamoku Foundation and eight individuals.

Your Committee finds that Duke Kahanamoku was an all-around waterman, a lifeguard and lifesaver, a swim record-setter, a swim and surf instructor, a five-time Olympic medalist in swimming, a sheriff of the City and County of Honolulu, and Hawaii's original ambassador of aloha. In addition to his accomplishments as a sportsman, he strongly advocated for water safety and swim education in the State. Your Committee further finds that it is appropriate to honor and recognize the contributions and accomplishments of Duke Kahanamoku by authorizing the issuance of special number plates with his name and likeness to further promote his legacy of aloha.

Your Committee has amended this measure by:

- (1) Clarifying the distribution of proceeds from additional fundraising fees;
- (2) Changing the effective date to July 1, 2044, 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. 915, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 915, 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, none.

#### **SCRep. 1194-22 Culture, Arts, & International Affairs on S.B. No. 2731**

The purpose of this measure is to appropriate funds to support the Bernice Pauahi Bishop Museum.

Your Committee received testimony in support of this measure from the Hawai'i State Foundation on Culture and the Arts, Hawai'i Tourism Authority, Bernice Pauahi Bishop Museum, Center for Hawaiian Sovereignty Studies, and Friends of Hoku'le'a and Hawai'iloa. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Bernice Pauahi Bishop Museum is a distinguished scientific, cultural, and educational institution for the State, whose mission is to perpetuate Hawaii's natural and cultural heritage. Your Committee further finds that the COVID-19 pandemic has significantly reduced the Bishop Museum's operating revenue due to the drop in visitors. Your Committee finds that it is necessary to appropriate funds to support the Bishop Museum's core functions and support ongoing operations to preserve irreplaceable cultural treasures.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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 S.B. No. 2731, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2731, 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, none.

#### **SCRep. 1195-22 Culture, Arts, & International Affairs on S.B. No. 2202**

The purpose of this measure is to designate the month of April of each year as Volunteer Month in Hawaii.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that volunteers provide vital and valuable support to their communities, donating time and resources and providing services such as fundraising; preparing, distributing, or serving food; mentoring youth; supplying transportation; supporting and staffing fire and ambulance departments; and providing medical care. The contributions of volunteers have been particularly essential during the current coronavirus disease 2019 pandemic, with countless individuals volunteering their time, effort, and skill to administer vaccines and staff vaccination centers; conduct testing and contact tracing; and provide food, water, and other necessities to individuals in quarantine. Your Committee further finds that, on a national level, April has long been dedicated to the recognition of the services volunteers provide in their communities. This measure honors the good deeds performed by volunteers and encourages volunteerism by designating April of each year as Volunteer Month in Hawaii.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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 S.B. No. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2202, 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, none.

#### **SCRep. 1196-22 Culture, Arts, & International Affairs on S.B. No. 2059**

The purpose of this measure is to designate 'ōhi'a lehua as the state endemic tree.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Hawaiian Affairs, Rapid 'Ōhi'a Death Statewide Outreach Coordinator, Wild Kids, Coordinating Group on Alien Pest Species, Hawaii Forest Industry Association, and numerous individuals.

Your Committee finds that 'ōhi'a lehua is a keystone species of Hawaii's native forests and is endemic to the State's six largest islands. 'Ōhi'a lehua grows in a variety of environments, and 'ōhi'a forests are estimated to cover over 800,000 acres statewide and are vital to protecting and conserving Hawaii's watersheds and native species. Your Committee further finds that 'ōhi'a lehua has a significant role in Native Hawaiian history and culture, represented in many chants, songs, and dances. The 'ōhi'a flowers make prized lei and are featured in art and clothing design, while the wood of the 'ōhi'a was historically used to make tools and weapons and is still regarded as a high-quality wood for construction and furniture. Your Committee finds it appropriate to recognize the importance of the 'ōhi'a lehua to the State and to bring awareness to current threats to 'ōhi'a lehua by designating the 'ōhi'a lehua as the state endemic tree.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2044, 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 S.B. No. 2059, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2059, 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, none.

#### **SCRep. 1197-22 Higher Education & Technology on S.B. No. 2806**

The purpose of this measure is to appropriate funds to the Hawaii Technology Development Corporation for the Small Business Innovation Research Program.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawai'i Technology Development Corporation; Transform Hawai'i Government; Chamber of Commerce Hawaii; Makai Ocean Engineering, Inc.; HIplan; Nalu Scientific, LLC; 3D Innovations; Hyperspective; Hawaii Fish Company Inc; Startup Capital Ventures; Purple Mai'a Foundation; Mana Up; Hawaiian Chip Company; Maui Chamber of Commerce; Hawaii Food Industry Association; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Oceanit.

Your Committee recognizes that the Hawaii Technology Development Corporation supports initiatives that promote technology and manufacturing jobs. Since 1989, the Corporation has been providing grants to qualifying companies through the Small Business Innovation Research Program, which your Committee believes provides positive economic development value for the State.

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. 2806, 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, 9. Noes, none. Excused, 4 (Belatti, Ohno, Woodson, Yamane).

#### **SCRep. 1198-22 Higher Education & Technology on S.B. No. 2807**

The purpose of this measure is to appropriate funds to Hawaii Technology Development Corporation for the Manufacturing Assistance Program.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawai'i Technology Development Corporation; Chamber of Commerce Hawaii; Hawaii Food Manufacturers Association; Hawai'i Farm Bureau; Makai Ocean Engineering, Inc.; Nalu Scientific, LLC; 3D Innovations; Hyperspective; Hawaii Fish Company Inc.; Big Island Coffee Roasters, LLC; Kapa Nui Nails; Startup Capital Ventures; Purple Mai'a Foundation; Mana Up; Maui Chamber of Commerce; Hawaii Food Industry Association; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Technology Development Corporation is a key state agency in the development and support of the State's manufacturing industry, which forms an essential component of Hawaii's economy. Your Committee further finds that the Hawaii Technology Development Corporation's Manufacturing Assistance Program plays an important role in assisting manufacturing companies compete globally through limited

reimbursements of certain qualified expenses.

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. 2807, 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, 9. Noes, none. Excused, 4 (Belatti, Ohno, Woodson, Yamane).

#### **SCRep. 1199-22 Higher Education & Technology on S.B. No. 3284**

The purpose of this measure is to:

- (1) Establish a Technology Services Consolidation Working Group (Working Group) to develop a plan for the phased consolidation of all state Executive Branch information technology services and staff within five years, except those of the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs, under the Office of Enterprise Technology Services; and
- (2) Require the Working Group to recommend ways to attract high-quality information technology professionals to Hawaii.

Your Committee received testimony in support of this measure from Transform Hawai'i Government. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, Department of Transportation, and Office of Enterprise Technology Services.

Your Committee finds that large organizations like the State of Hawaii could benefit from consolidating information technology resources to gain economies of scale and provide for a more efficient and secure use of technology and information management. The consolidation of technology resources will also help the State to remain in compliance with growing regulatory requirements for accessibility, information storage, data sharing, and security, especially in light of recent high-profile attacks on government computer systems by hackers. This measure tasks the Working Group with developing a phased consolidation plan to accomplish this.

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. 3284, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3284, 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, 10. Noes, none. Excused, 3 (Ohno, Woodson, Yamane).

#### **SCRep. 1200-22 Higher Education & Technology on S.B. No. 3374**

The purpose of this measure is to appropriate funds for the University of Hawaii community colleges' workforce development programs to fund administration, training, positions, and student support.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii's community colleges play a critical role in the economic growth and development of the State. Community colleges provide residents with opportunities to improve their employment prospects and develop a workforce that helps companies and nonprofit organizations survive and thrive as they meet the needs of the community. This measure will provide funding to support the community colleges in providing these services to develop the State's workforce.

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. 3374, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3374, 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, 3 (Ohno, Woodson, Yamane).

#### **SCRep. 1201-22 Economic Development on S.B. No. 2379**

The purpose of this measure is to authorize the Special Enforcement Section of the Department of Taxation to:

- (1) Examine any sector of the State's economy;
- (2) Initiative civil investigations to ensure proper payment of all taxes due;
- (3) Use enforcement and education to deter and prevent non-compliance with state taxation laws; and
- (4) Refer and recommend cases or examinations of segments of the economy to Department of Taxation Auditors.

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 Special Enforcement Section of the Department of Taxation was originally established to give the Department necessary resources and tools to target high-risk, cash-based transactions to ensure compliance with state tax laws. Your Committee further finds that the duties of the Special Enforcement Section need to be updated to reflect current policies and practices of the Department of Taxation. This measure would update the Special Enforcement Section's legal authority, thereby ensuring compliance with state tax laws and promoting fairness and transparency for Hawaii's 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 Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2379, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2379, 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. 1202-22 Economic Development on S.B. No. 3143**

The purpose of this measure is to conform the state income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended, as of December 31, 2021.

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

Your Committee finds that this annual conformity measure is submitted by the Department of Taxation to ensure state income tax and state estate and generation-skipping transfer tax laws conform to the federal Internal Revenue Code as it exists on December 31 preceding each Regular Session. The purpose of conformity is to update the state tax laws with those changes made to the federal Internal Revenue Code during the past year and adopt those changes that are appropriate for Hawaii 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. 3143 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. 1203-22 Economic Development on S.B. No. 2377**

The purpose of this measure is to establish a penalty for failure to respond to an inquiry or request during a state tax inspection or examination.

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

Your Committee finds that existing law is silent regarding a taxpayer who fails to respond to the Department of Taxation's inquiry or request for information during an inspection or examination of records. This measure will ensure that the Department of Taxation can effectively carry out its investigations, thereby promoting taxpayer compliance and efficient tax 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. 2377, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2377, 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. 1204-22 Energy & Environmental Protection on S.B. No. 3057**

The purpose of this measure is to:

- (1) Require electric utility companies to track and annually report data and trends on customer retention and attrition to further inform the calculation of renewable portfolio standards;
- (2) Amend the definition of "renewable portfolio standard" to more accurately reflect the percentage of renewable electrical energy generated in the State and amend the future renewable portfolio standards to reflect targets based on net electricity generation, rather than sales;
- (3) Amend the events or circumstances beyond an electric utility company's reasonable control, which determine whether the electric utility company may be subject to penalties for failing to meet the renewable portfolio standard; and
- (4) Require electric utility companies to make every reasonable effort to ensure that independent power producers connected to the grid are converting to renewable resources by July 1, 2027, under certain conditions.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Public Utilities Commission; Climate Protectors Hawai'i; Hawaii Interfaith Power and Light; Aloha Animal Advocates; Pele Lani Farm LLC; Ulupono Initiative; 350Hawaii.org; Kauai Women's Caucus; Hawaii Clean Power Alliance; and numerous individuals. Your Committee received testimony in opposition to this measure from Hawaiian Electric Company.

Your Committee finds that for the State to reach its renewable portfolio standard for December 31, 2045, the State must transition away from imported fossil fuels and toward renewable local resources. However, the existing calculation of the renewable portfolio standard, which is based on electrical energy sales rather than on electrical energy generation, overestimates the amount of renewable energy serving Hawaii's electric utility customers. This measure ensures that the State's progress toward its energy and climate goals is accurately measured and addresses increasing concerns over continued reliance on imported fossil fuels.

Your Committee has amended this measure by:

- (1) Deleting language that would have required electric utility companies to make every reasonable effort to ensure that independent power producers connected to the grid are converting to renewable resources by July 1, 2027; and
- (2) Making technical, 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. 3057, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3057, 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. 1205-22 Pandemic & Disaster Preparedness on S.B. No. 3089**

The purpose of this measure is to:

- (1) Prohibit the Governor or Mayor from suspending requests for public records for vital specifics during a state of emergency;
- (2) Allow for a reasonable delay in a department or state agency's response to a request as a result of extenuated circumstances;
- (3) Clarify that powers granted for emergency purposes shall not be inconsistent with the state constitution;

- (4) Define "severe warning";
- (5) Authorize the Governor to require counties to obtain the approval of the Governor or Director of the Hawaii Emergency Management Agency before issuing any emergency order, rule, or proclamation;
- (6) Provide parameters for the duration of the suspension of laws and require justification for the suspension;
- (7) Authorize the Legislature and a county council to terminate a state of emergency or local state of emergency, respectively, in part or in whole, by an affirmative two-thirds vote; and
- (8) Specify that prohibitions on price increases of essential commodities during a severe warning expires seventy-two hours after the effective date and time of the initial declaration or any supplemental proclamation.

Your Committee received testimony in support of this measure from the Department of Defense; Department of Human Services; Hawaii Emergency Management Agency; Civil Beat Law Center for the Public Interest; Hawaii Hui; League of Women Voters of Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; Society of Professional Journalists Hawaii Chapter; and State of Hawaii Organization of Police Officers. Your Committee received comments on this measure from the Department of Health, Office of Information Practices, Common Cause Hawaii, Grassroot Institute of Hawaii, and two individuals.

Your Committee finds that the coronavirus disease 2019 pandemic highlighted the need to reform the legal framework governing emergency management in the State. While emergency powers allow the Governor to expeditiously respond to any type of disaster, your Committee believes that there needs to be more checks and balances in regard to emergency management powers to ensure the welfare and safety of the residents of the State.

Your Committee has amended this measure by:

- (1) Deleting the reference to section 338-18.5, Hawaii Revised Statute, as that section was repealed by Act 199, Session Laws of Hawaii 2021;
- (2) Clarifying that an exemption to disclosure for certain records is allowed if an exemption is allowed pursuant to existing law;
- (3) Deleting language that would have:
  - (A) Required the Governor or Mayor to reclaim the termination of a state of emergency or local state of emergency, respectively, at the earliest possible date that conditions warrant; and
  - (B) Authorized a county council, by an affirmative vote of two-thirds, to terminate a local state of emergency declared by the Mayor;
- (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 Pandemic & Disaster Preparedness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3089, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3089, 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 (McKelvey, Woodson).

#### **SCRep. 1206-22 Agriculture/Economic Development on S.B. No. 2960**

The purpose of this measure is to require and appropriate funds for the Department of Agriculture to partner with the agricultural community to establish and implement a food safety certification training program to help small- and medium-sized farms comply with the FDA Food Safety Modernization Act by obtaining Good Agricultural Practices (GAP) or equivalent certification.

Your Committees received testimony in support of this measure from the Department of Agriculture, County of Hawaii Department of Research and Development, Mahiku A'o Mai, Hawaii Food Industry Association, North Shore Economic Vitality Partnership, Hawaii Cattlemen's Council, Ulupono Initiative, Hawai'i Farm Bureau, Lanakila Pacific, and five individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that according to the United States Food and Drug Administration, the FDA Food Safety Modernization Act was the most sweeping reform of United States food safety laws in more than seventy years. The FDA Food Safety Modernization Act aims to ensure the United States food supply is safe by shifting the focus to prevention, rather than responding to, contamination of the food supply. Your Committees find that food industry training is an essential component of successful implementation of and compliance with the FDA Food Safety Modernization Act. The assistance in obtaining GAP or equivalent certification, as proposed to be funded by this measure, will assist the State's small- and medium-sized farms in meeting the federal food safety requirements, further local food production, and provide farmers and agricultural producers with better access to domestic and global markets.

As affirmed by the records of votes of the members of your Committees on Agriculture and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2960, S.D. 1, and recommend that it pass Second Reading and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Agriculture: Ayes, 6. Noes, none. Excused, 2 (Lowen, Matayoshi).

Economic Development: Ayes, 7. Noes, none. Excused, 1 (Okimoto).

#### **SCRep. 1207-22 Agriculture on S.B. No. 339**

The purpose of this measure is to:

- (1) Allow a taxpayer to claim the important agricultural land qualified agricultural cost tax credit in the third taxable year after application for first year certification of the credit, rather than in the taxable year following the taxable year in which qualified agricultural costs were incurred; and
- (2) Extend the period during which the tax credit is available through the taxable year ending December 31, 2030.

Your Committee received testimony in support of this measure from the Department of Agriculture, Office of Planning and Sustainable Development, Hawai'i Farm Bureau, Ulupono Initiative, Hawaii Crop Improvement Association, Kamehameha Schools, Land Use Research Foundation of Hawaii, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Taxation and Department of Budget and Finance.

Your Committee finds that the important agricultural land qualified agricultural cost tax credit is intended to be an incentive and long-term commitment to



promote agricultural viability, sustained growth of the agriculture industry, and long-term agricultural use and protection of important agricultural lands. Your Committee further finds that extending the tax credit will provide more time for landowners to voluntarily identify their lands for potential designation as important agricultural lands.

Your Committee has amended this measure by:

- (1) Removing language that would have allowed the tax credit to be claimed in the third taxable year after application for first year certification of the credit; and
- (2) Making technical, 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. 339, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 339, 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 (Matayoshi, Todd).

#### **SCRep. 1208-22 Agriculture on S.B. No. 2195**

The purpose of this measure is to establish a five-year feral chicken eradication pilot program within the Department of Health.

Your Committee received testimony in support of this measure from the Julie Peine Trust, Mo'Bettah Handyman Services, Pono Advocacy, Makor Acupuncture & Oriental Medicine, Hawaiian Humane Society, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Health; Save Hawaii Chickens, a petition signed by numerous individuals; and thirteen individuals. Your Committee received comments on this measure from the Department of Agriculture; Department of Budget and Finance; and Innolytics, LLC.

Your Committee finds that feral chickens are a persistent nuisance in urban and suburban communities throughout the State, as they trespass into yards and gardens, dig up plants, damage food crops, jeopardize native plants, create a noise nuisance, create road hazards for drivers, and pose health concerns through droppings, parasites, and disease transmission. Your Committee further finds that this measure will task the State with determining humane and cost-effective means of addressing the feral chicken problem in communities throughout the State.

Your Committee has amended this measure by:

- (1) Changing the purpose of the pilot program to population management, rather than eradication, of the feral chicken population;
- (2) Tasking the Department of Agriculture in collaboration with the Department of Land and Natural Resources, rather than the Department of Health in collaboration with the Department of Agriculture, with establishing the pilot program, and making conforming amendments;
- (3) Deleting the requirement that a special local need registration be submitted for the use of OvoControl;
- (4) Amending the scope of the mandatory annual reports to include the pilot program's efficacy in the State, rather than only in certain Oahu neighborhoods; 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2195, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2195, 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; Ayes with Reservations (Matsumoto). Noes, none. Excused, 2 (Matayoshi, Todd).

#### **SCRep. 1209-22 Agriculture on S.B. No. 2473**

The purpose of this measure is to:

- (1) Transfer the administrative attachment of the Agribusiness Development Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism;
- (2) Amend the focus, scope, responsibilities, and powers of the Agribusiness Development Corporation;
- (3) Amend the requirements and responsibilities of the Board of Directors of the Agribusiness Development Corporation;
- (4) Specify the required contents of the Hawaii Agribusiness Plan; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Agriculture, Agribusiness Development Corporation, and one member of the Hawai'i County Council. Your Committee received testimony in opposition to this measure from Hawai'i Alliance for Progressive Action, Hawai'i SEED, Kauai Women's Caucus, and twelve individuals. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; and Hawai'i Farm Bureau.

Your Committee finds that because the goals and objectives of the Agribusiness Development Corporation support the Department of Business, Economic Development, and Tourism's general mission, transferring the Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism is appropriate.

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 S.B. No. 2473, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2473, 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; Ayes with Reservations (Marten, Matsumoto). Noes, 1 (Perruso). Excused, 2 (Matayoshi, Todd).

#### **SCRep. 1210-22 Agriculture on S.B. No. 2798**

The purpose of this measure is to:

- (1) Authorize the Board of Veterinary Medicine to grant temporary courtesy and relief permits for out-of-state veterinarians;
- (2) Permit licensed veterinarians to practice veterinarian telemedicine; and
- (3) Allow for international veterinary school graduates to qualify for the state licensure examination.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Board of Veterinary Medicine, Animal Interfaith Alliance in Britain, Neighborhood Cats, Kaua'i Humane Society, Hawaiian Humane Society, Hawaii Veterinary Medical Association, and numerous individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the demand for veterinary services continues to grow. The COVID-19 pandemic has increased consumer demand for telehealth in the field of veterinary medicine, particularly in areas where access to veterinary care is limited. This measure establishes a pathway for out-of-state veterinarians to assist the local veterinary community, while providing quality care for consumers and pet owners.

Your Committee has amended this measure by:

- (1) Clarifying that a veterinarian may provide veterinary telesupervision for tasks that do not require direct supervision;
- (2) Establishing a permit surcharge to defray costs associated with administering courtesy and relief permits;
- (3) Clarifying the definitions of "veterinary teleadvice" and "veterinary teletriage";
- (4) Making it effective on 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2798, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2798, 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 (Matayoshi, Todd).

#### **SCRep. 1211-22 Agriculture on S.B. No. 2837**

The purpose of this measure is to:

- (1) Establish a Spay and Neuter Special Fund to be used for cat spaying and neutering surgery and associated veterinary care; and
- (2) Allow funds from an income tax check-off to be deposited into the Spay and Neuter Special Fund.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawaii, Aloha Animal Advocates, Animal Rights Hawai'i, Love A Cat Charity, The Humane Society of the United States, Hui Pono Holoholona, Neighborhood Cats, Rainbow Family 808, Hawaiian Humane Society, Animal Interfaith Alliance in Britain, Alley Cat Allies, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, Hui Ho'omalua i ka Aina, Animal Bird Conservancy, and one individual. Your Committee received comments on this measure from the Department of Agriculture, Department of Taxation, Tax Foundation of Hawaii, and one individual.

Your Committee finds that the increase in the number of feral cats in communities throughout the State continues to be a public concern from many perspectives, including public health and environmental, ecological, and animal welfare. There is ongoing policy consideration regarding how to best manage feral cats and feral cat colonies in the State. Your Committee finds that identifying the location and distribution of feral cats in the State supports an understanding of the breadth of the concern and the development of effective population management strategies to manage feral cats.

Your Committee has amended this measure by:

- (1) Inserting language to require the Department of Land and Natural Resources, in collaboration with animal welfare groups and organizations, to conduct a point-in-time count of feral cats per main island by June 30, 2023;
- (2) Requiring the Department of Land and Natural Resources to submit a report of its findings and recommendations, including any proposed legislation, regarding the point-in-time count to the Legislature prior to the Regular Session of 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2837, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2837, 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 (Matayoshi, Todd).

#### **SCRep. 1212-22 Agriculture on S.B. No. 2946**

The purpose of this measure is to appropriate funds to the Department of Agriculture for maintenance of and improvement to the Peekauai Ditch Irrigation System, also known as the Menehune Ditch, located on Kauai.

Your Committee received testimony in support of this measure from the Department of Agriculture; Local Food Coalition; Larry Jeffs Farms, LLC; Kekaha Agriculture Association; Ulupono Initiative; Hawaii Crop Improvement Association; Hawai'i Farm Bureau; Hawaii Cattlemen's Council; Land Use Research Foundation of Hawaii; Kaua'i Chamber; and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that increased and extended water droughts have highlighted the need for the repair and maintenance of irrigation systems in the State. This measure ensures that farmers on Kauai, especially those in the Waimea area and taro farmers, receive a steady and dependable supply of water by providing sufficient funding to maintain and improve the Peekauai Ditch Irrigation System.

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. 2946, 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 (Matayoshi, Todd).

**SCRep. 1213-22 Agriculture on S.B. No. 2986**

The purpose of this measure is to:

- (1) Eliminate or relax certain regulations of commercial hemp production and prohibit the State from requiring inspections or sampling of, or issuing violations or penalties to, hemp producers licensed by the United States Department of Agriculture that are following the United States Department of Agriculture's rules and protocols;
- (2) Amend the conditions under which licensed hemp producers may transport hemp within the State to be processed or to other grow areas;
- (3) Allow licensed hemp producers to sell hemp biomass directly to consumers via online platforms;
- (4) Require the identity statement used for labeling or advertising any hemp product to identify the percentage of Hawaii grown or processed hemp products in all hemp products and, if those products are not from Hawaii, the origin of any hemp product;
- (5) Exempt certain processors of hemp from the requirement that they register with the Department of Health as hemp processors; and
- (6) Extend the sunset date of Act 14, Session Laws of Hawaii 2020, which establishes the state hemp processors and commercial hemp production laws.

Your Committee received testimony in support of this measure from Hawai'i Sustainable Farms and eight individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Health, Hawai'i Hemp Farmers Association, Hawaii Farmers Union United, Hawai'i Farm Bureau, Hawaii Hemp Farmers Center, South Maui Gardens, Kauai Hemp Company, and six individuals.

Your Committee finds that hemp has a variety of uses, including for fuel, textiles, clothing, food, insulation, and biofuel, and has the potential to be a lucrative crop for Hawaii. Individuals and entities who wish to grow hemp in the State must acquire a hemp production license from the United States Department of Agriculture Domestic Hemp Production Program and comply with various state requirements. This measure eliminates the duplication of certain federal and state regulatory controls that may inhibit the growth potential and development of hemp in the State.

Your Committee has amended this measure by:

- (1) Amending the requirements for transporting hemp within the State to an authorized hemp processing facility or another licensed producer's grow area by replacing the requirement that the transportation of the hemp be authorized by the Department of Agriculture with the requirement that a copy of the Hawaii United States Department of Agriculture hemp license and lab report accompany the hemp shipment;
- (2) Changing the requirement with respect to compliance with hemp production inspection and sampling rules to specify that no inspections or sampling shall be conducted by 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 Agriculture that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2986, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2986, 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 (Matayoshi, Todd).

**SCRep. 1214-22 Agriculture on S.B. No. 2989**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a Healthy Soils Program; and
- (2) Establish a Healthy Soils Program Special Fund.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Hawai'i Farmers Union United, Hawai'i Alliance for Progressive Action, Hawaii Cattlemen's Council, Climate Protectors Hawai'i, Hawai'i Farm Bureau, Down to Earth Organic and Natural, Kauai Women's Caucus, and nine individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that healthy soil is necessary for sustainable agricultural production and increased carbon sequestration in the State. This measure will provide assistance to and create incentives for farmers, ranchers, and landowners to take carbon negative actions and implement farm management practices that contribute to healthy soils.

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. 2989, 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 (Matayoshi, Todd).

**SCRep. 1215-22 Agriculture on S.B. No. 2990**

The purpose of this measure is to establish and appropriate funds for a cover crop reimbursement pilot program to reimburse qualifying farming operations for acquisition costs for cover crop seeds, green manure, and compost.

Your Committee received testimony in support of this measure from the Department of Agriculture; University of Hawai'i System; one member of the Hawai'i County Council; Larry Jefts Farms, LLC; 350Hawaii.org; Climate Protectors Hawai'i; Hawai'i Farm Bureau; Hawai'i Farmers Union United; Hawai'i Alliance for Progressive Action; Down to Earth Organic and Natural; Kauai Women's Caucus; and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Hawaii Cattlemen's Council.

Your Committee finds that soil health and agricultural sustainability are dependent on protecting, maintaining, and increasing soil organic matter. Cover cropping is one tool that has shown to be effective in building soil organic matter, resulting in soil stability during a fallow period, increased soil water retention capacity, increased soil nutrient retention and release capacity, and enhanced soil microorganism biodiversity. This measure will incentivize the use of management practices to improve the quality and sustainability of the State's agricultural lands.

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 S.B. No. 2990, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2990, 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 (Matayoshi, Todd).

**SCRep. 1216-22 Consumer Protection & Commerce on S.B. No. 2125**

The purpose of this measure is to increase the maximum allowable fine for violations of the liquor control laws by a licensee from \$2,000 to \$5,000.

Your Committee received testimony in opposition to this measure from the Hawaii Food Industry Association and one individual.

Your Committee finds that under existing law, violations of the State's liquor control laws are subject to a maximum fine of \$2,000 which is an amount that has been in effect since 1987. Your Committee further finds that certain offenses under the liquor control laws that have the probability of repeating within a short period of time quickly reach this maximum fine limit. In these situations, the county liquor commissions or liquor control adjudication boards have no other option but to suspend or revoke a liquor license. This measure increases penalties for violations but also allows for a greater fine range, which will give the boards and commissions more leeway before they are required to impose the far more severe penalties of license suspension or revocation.

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. 2125, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2125, 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. 1217-22 Consumer Protection & Commerce on S.B. No. 3075**

The purpose of this measure is to resolve certain payment issues related to franchise tax collections deposited into the Compliance Resolution Fund by:

- (1) Ensuring that the statutorily-mandated \$2,000,000 franchise tax payment is credited in full to the Compliance Resolution Fund for use by the Division of Financial Institutions; and
- (2) Specifying that if franchise tax collections are insufficient, income tax collections will be used to ensure \$2,000,000 is deposited into the Compliance Resolution Fund.

Your Committee received testimony in support of this measure from the Department of Taxation, Department of Commerce and Consumer Affairs, Hawaii Bankers Association, and Hawaii Financial Services Association. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs (DFI) has relied on a dedicated portion of the franchise tax revenues to help maintain its financial self-sufficiency and support its purpose to effectively license, supervise, and regulate the constantly changing and complex financial institutions within its jurisdiction.

Your Committee further finds that each fiscal year, \$2,000,000 of franchise tax collections is deposited to the credit of the Compliance Resolution Fund for use by DFI. However, there have been situations where the payment of franchise tax revenues was delayed from one fiscal year to the succeeding fiscal year. This has the potential to delay payments or the ability to enter into contracts, which creates an aura of uncertainty in DFI, or interfere with its purpose and functions.

This measure resolves payment timing issues related to franchise tax collections by ensuring that the \$2,000,000 payment provided for under the franchise tax law is credited in full to the Compliance Resolution Fund for use by DFI. This measure also specifies that, if franchise tax collections are insufficient, income tax collections will be used to ensure \$2,000,000 is deposited into the Compliance Resolution Fund.

Your Committee has amended this measure by removing redundant language authorizing the transfer of income tax revenues to supplement franchise tax revenues, if needed, to reach the necessary \$2,000,000 to fund DFI.

Your Committee notes that concerns were raised in testimony that portions of this measure may exceed its single-subject title. Your Committee further notes that this concern must be addressed before this measure may advance out of the Legislature to the Governor.

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. 3075, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3075, 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. 1218-22 Consumer Protection & Commerce on S.B. No. 2048**

The purpose of this measure is to establish the misdemeanor offense of unlawful chop shop activity.

Your Committee received testimony in support of this measure from the Maui County Council.

Your Committee finds that chop shops deal in buying and reselling stolen vehicles and parts, usually involving the storing of stolen vehicles for future sales, stripping vehicles for their parts, obscuring or changing identifying features, reassembling vehicles and selling them, and selling off the parts. In many cases, a chop shop may operate under a legitimate business front, such as a mechanic, auto body, or auto parts shop that stocks legitimate parts while also dealing in stolen parts on the side or behind the scenes. In some cases, the business owner may even be unaware that employees or colleagues are using the facility for chop shop activities.

Your Committee further finds that there is no existing statute covering the criminal misconduct of chop shop activity, although numerous auto theft investigations have shown that chop shop activity was a central part of the criminal misconduct. This measure will impose criminal penalties on persons who partake in unlawful chop shop activity.

Your Committee has amended this measure by:

- (1) Specifying that unlawful chop shop activity is a class C felony offense, rather than a misdemeanor offense; and
- (2) Specifying that each separate act committed constitutes a separate offense of unlawful chop shop activity.

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. 2048, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2048, 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. 1219-22 Consumer Protection & Commerce on S.B. No. 2279**

The purpose of this measure is to:

- (1) Require licensed used motor vehicle parts dealers to keep records of purchases and sales of catalytic converters, and require the seller to file a written statement that the seller has the lawful right to sell and dispose of the catalytic converter;
- (2) Establish the class C felony offense of theft of catalytic converter;
- (3) Increase the penalty for engaging in the business of purchasing or selling used motor vehicle parts and accessories, or wrecking, salvaging, or dismantling motor vehicles for the purpose of reselling the parts or accessories without a license;
- (4) Require scrap dealers to keep records of purchases and sales of palladium, platinum, and rhodium;
- (5) Require all scrap dealers to pay for palladium, platinum, and rhodium, and all used motor vehicle parts dealers to pay for catalytic converters, by check; and
- (6) Require each county police department to maintain a database of certain reported information and initiate education programs to encourage its residents to take measures to prevent catalytic converter thefts.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Transportation, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, one member of the Maui County Council, Hawaii Transportation Association, GEICO, National Insurance Crime Bureau, American Property Casualty Insurance Association of America, Hawaii Insurers Council, and Catholic Charities Hawai'i. Your Committee received comments on this measure from Schnitzer Steel Hawaii.

Your Committee finds that the theft of catalytic converters has been on the rise. According to data from the National Insurance Crime Bureau, catalytic converter thefts were four times higher in 2020 than in 2019. Stolen or recycled catalytic converters can usually be resold on the market for around \$250; however, replacing a stolen catalytic converter can cost a car owner around \$1,000 or more. This measure will act as a deterrent to individuals and businesses involved in the disposal and acquisition of stolen catalytic converters.

Your Committee has amended this measure by:

- (1) Amending the required period for retaining records for catalytic converter purchases to three years, rather than two years;
- (2) Exempting licensed scrap dealers, when purchasing catalytic converters from other licensed commercial vendors, from the written statement requirements for motor vehicle parts dealers that purchase catalytic converters, as scrap dealers are already required to obtain written statements and verify identification prior to purchasing scrap;
- (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 S.B. No. 2279, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2279, 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. 1220-22 Consumer Protection & Commerce on S.B. No. 2159**

The purpose of this measure is to amend the law restricting the use of leaf blowers by:

- (1) Removing the exception for government entities and their agents, but allowing government entities and their agents to use leaf blowers during the prohibited hours in cases of emergency; and
- (2) Defining "residential zone".

Your Committee received testimony in support of this measure from the Department of Transportation and one individual.

Your Committee finds that noise pollution is a prevalent and increasing problem in the State. Exposure to excessively loud noise, such as the kind emitted from combustion engine-powered leaf blowers, can result in physiological, psychological, and economic damage. Residents in many high density communities in the State are bombarded by continuous and excessively loud noise emitted by leaf blowers, which interferes with their ability to live in a healthy and peaceful environment and may have a negative impact on their health and welfare.

Your Committee additionally finds under existing law, government entities are exempt from the restrictions on leaf blowers. This measure appropriately limits the exemption to only in cases of emergency.

Your Committee has amended this measure by clarifying that "emergency" has the same meaning as that term is defined under the State's emergency management laws.

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. 2159, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2159, 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; Ayes with Reservations (Kong). Noes, none. Excused, none.

#### **SCRep. 1221-22 Consumer Protection & Commerce on S.B. No. 3078**

The purpose of this measure is to amend the law regarding advance warning of excavations (One Call law) to improve consumer protection, including:

- (1) Narrowing the exemption from the requirements of the One Call law for excavations performed on certain residential property to only those excavations performed less than twelve inches in the ground;
- (2) Clarifying that locators are subject to the requirements of the One Call law; and
- (3) Specifying the situations in which persons have a duty to notify emergency services and operators of hazards and minimize the hazards.

Your Committee received testimony in support of this measure from the Public Utilities Commission, Able Pest Management LLC, Aloha Termite & Pest Control, Hawaii Pest Control Association, Hawaii Gas, Hawaiian Telcom, and Xtermco Inc. Your Committee received testimony in opposition to this measure from two individuals.

Your Committee finds that in 2004, pursuant to Act 141, Session Laws of Hawaii 2004, the Legislature established the One Call Center to coordinate the location of subsurface installations, including underground utilities. The One Call law requires excavators to provide notice to the One Call Center five to twenty-eight days before planned excavations. This notice allows the One Call Center the opportunity to check for pipelines or similar infrastructure where an individual or organization plans to dig, to avoid accidentally colliding with such infrastructure.

However, your Committee further finds that the One Call law exempts excavators operating on one- to two-family residential properties from contacting the One Call Center before excavation. As a result, underground utility infrastructure is frequently impacted in residential properties. In 2020, sixty-eight percent of subsurface utility infrastructure impacts occurred on residential property. This exemption creates significant risk for homeowners, contractors, and the surrounding communities. This measure, among other things, will considerably narrow this exemption to minimize the risk of harm to residences.

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. 3078, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3078, 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. 1222-22 Consumer Protection & Commerce on S.B. No. 2185**

The purpose of this measure is to:

- (1) Require the fireworks and articles pyrotechnic records auditor for each county to submit an annual report to the Legislature detailing inventory, recordkeeping, and sales of fireworks to license and permit holders; and
- (2) Make a grant-in-aid to each county's fire department to cover costs associated with the annual reports.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Fire Department, Honolulu Fire Department, 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 Budget and Finance.

Your Committee finds that, under existing law, each county funds an auditor to monitor strict inventory and recordkeeping requirements to ensure that sales of fireworks or articles pyrotechnic are made only to license or permit holders under the Fireworks Control Law. The reporting requirements proposed by this measure will increase surveillance of fireworks and articles pyrotechnic, with the ultimate goal of reducing the use of illegal fireworks throughout communities in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the grants-in-aid are intended to be in addition to, and not replace, any funds provided to the counties; and
- (2) Making technical, 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. 2185, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2185, S.D. 3, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Onishi). Excused, 1 (Kong).

#### **SCRep. 1223-22 Consumer Protection & Commerce on S.B. No. 2923**

The purpose of this measure is to increase the generally applicable statutory fine and fine for homeowner liability under the Fireworks Control Law from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Fire Department, Honolulu Fire Department, Animal Rights Hawai'i, and six individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the illegal use of fireworks continues to cause significant disruption and concern in communities throughout the State. Illegal aerial fireworks and improvised explosive devices have substantially increased in recent years, which have resulted in serious injuries, property damage, and fatalities. Your Committee further finds that a stronger deterrent is therefore needed to curtail the use of illegal fireworks. Increasing the fines associated with illegal fireworks, as proposed by this measure, may act as such a deterrent.

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. 2923, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2923, 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. 1224-22 Consumer Protection & Commerce on S.B. No. 3194

The purpose of this measure is to promote compliance with the Fireworks Control Law by:

- (1) Specifying 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;
- (2) Subjecting the removal or extraction of pyrotechnic contents to construct fireworks, articles pyrotechnic, or related device to a higher criminal penalty of a class C felony;
- (3) Increasing the generally applicable statutory fine for violations of the Fireworks Control Law and amending the fine structure for certain other violations;
- (4) Authorizing the Sheriff Division of the Department of Public Safety to enforce the Fireworks Control Law;
- (5) Requiring the Attorney General to convene an Explosion Detection Technology Working Group, which is to submit a report to the Legislature before the Regular Session of 2023;
- (6) Requiring the Department of Public Safety, in collaboration with county law enforcement agencies, to develop and implement a web-based reporting tool for illegal fireworks; and
- (7) Establishing an expeditious adjudication system for processing fireworks infractions, similar to the system for processing traffic infractions and emergency period infractions.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Fire Department, Honolulu Fire Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaiian Humane Society, and four individuals. Your Committee received testimony in opposition to this measure from the Honolulu Police Department and one individual. Your Committee received comments on this measure from the Judiciary and Department of Budget and Finance.

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. This measure implements multiple strategies to further enforce the Fireworks Control Law and deter the illegal setting off of fireworks in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the fine applicable to homeowners, renters, or other persons under the Fireworks Control Law is \$500 for the first violation and \$2,000 for each subsequent violation;
- (2) Clarifying that a \$20 administrative fee is to be assessed by the court and deposited into the Judiciary Computer System Special Fund, rather than depositing the monetary assessment into the 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3194, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3194, 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, 1 (Kong).

#### SCRep. 1225-22 Consumer Protection & Commerce on S.B. No. 3082

The purpose of this measure is to amend the Mortgage Rescue Fraud Prevention Act by:

- (1) Deleting certain exemptions to the definition of "distressed property consultant" in the State's Mortgage Rescue Fraud Prevention Act that are not in the federal Mortgage Assistance Relief Services Rule; and
- (2) Correcting a typographical error in the definition of "mortgage assistance relief service."

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 Hawai'i Association of REALTORS and Hawaii Bankers Association.

Your Committee finds that, in 2008, the State enacted the Mortgage Rescue Fraud Prevention Act (MRFPA) to protect consumers from mortgage rescue scams. There was no federal counterpart to the MRFP until the enactment of the Federal Trade Commission's (FTC) Mortgage Assistance Relief Services Rule (MARS Rule) in December 2010. Both the MRFP and MARS Rule are designed to protect consumers from abusive mortgage relief practices, but take distinctly different approaches to identify the persons from whom consumers should be protected. This measure takes the unique protection provisions of the MARS Rule and combines and reconciles those with the protection provisions already present and unique to the MRFP.

Your Committee further finds that, on July 15, 2011, the FTC announced that it decided not to enforce most provisions of its MARS Rule against real estate professionals who are acting in their licensed capacity while assisting sellers to obtain a short sale for their residence. The FTC stated it would still enforce the MARS Rule against real estate professionals who make fraudulent misrepresentations during the course of obtaining a short sale for their clients. For consistency, your Committee believes that the existing exemption for real estate brokers and salespersons under the MRFP should be retained. Your Committee notes, in its commitment to consumer protection, that the conferral of an exemption for certain classes of persons from enforcement is not equivalent to authorizing those classes of persons to commit prohibited actions.

Accordingly, your Committee has amended this measure by:

- (1) Reinstating the existing statutory exemption for real estate brokers and real estate salespersons when acting in their professional capacities in accordance with customary industry standards;
- (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. 3082, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3082, 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. 1226-22 Transportation on S.B. No. 152**

The purpose of this measure is to:

- (1) Require rear-facing child safety seats for children under two years of age;
- (2) Amend requirements for the restraint of child passengers;
- (3) Repeal exceptions for child passenger restraint compliance; and
- (4) Increase certain fines for violations.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, and Keiki Injury Prevention Coalition. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that infants and toddlers need to be in a rear-facing child safety seat until they reach the highest weight or height allowed by the seat. However, existing motor vehicle laws lack any requirement that children of any age be restrained in a rear-facing child safety seat. This measure ensures the use of age and size appropriate car seats, booster seats, and seat belts for children in motor vehicles.

Your Committee has amended this measure by:

- (1) Changing references to "child seat" and "child safety seat" to "child passenger restraint system with harness that meets federal motor vehicle safety standards at the time of manufacture";
- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 152, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 152, 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. 1227-22 Transportation on S.B. No. 2118**

The purpose of this measure is to require the driver of a moped to be in immediate possession of a valid driver's license or instruction permit at all times.

Your Committee received testimony in support of this measure from the Department of Transportation and Honolulu Police Department.

Your Committee finds that existing state laws have created confusion regarding license requirements for moped operation on public roadways. This measure clarifies that an operator of a moped shall be required to have in their immediate possession their current driver's license or instruction permit at all times, making it easier for law enforcement to determine who can legally operate a moped on the roadways.

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. 2118, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2118, 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 (Ilagan, LoPresti).

#### **SCRep. 1228-22 Transportation on S.B. No. 3158**

The purpose of this measure is to:

- (1) Establish the Electric Bicycle and Electric Moped Rebate Program (Rebate Program) to encourage the purchase and use of electric bicycles and electric mopeds;
- (2) Authorize the Department of Transportation to contract with a third-party administrator to operate and manage the Rebate Program;
- (3) Establish the Electric Bicycle and Electric Moped Rebate Special Fund;
- (4) Require that a portion of the Environmental Response, Energy, and Food Security Tax be deposited into the Electric Bicycle and Electric Moped Rebate Special Fund; and
- (5) Appropriate a portion of the funds received by the State from the federal Infrastructure Investment and Jobs Act:
  - (A) For the Rebate Program; and
  - (B) To be deposited into the electric vehicle charging system subaccount of the Public Utilities Commission Special Fund.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Hawaii Climate Change Mitigation and Adaptation Commission, Maui Metropolitan Planning Organization Policy Board, Ulupono Initiative, Hawaii Bicycling League, and three individuals. Your Committee received testimony in opposition to this measure from 350Hawaii.org, Big Island Electric Vehicle Association, Blue Planet Foundation, Hawaii Electric Vehicle Association, KauaiEV, Kauai Climate Action Coalition, Kauai Women's Caucus, Maui Nui EV Association, and fifteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Public Utilities Commission, Alliance for Automotive Innovation, and Hawai'i Energy.

Your Committee finds that meeting the State's clean energy goals and commitments necessitates the rapid transition to electric vehicles that utilize local, renewable energy sources, including electric bicycles and electric mopeds. Additionally, electric bicycles are significantly more cost effective and better for the environment than gas powered motor vehicles and can effectively get many Hawaii residents to locations as conveniently as gas powered motor vehicles.



This measure encourages the purchase and use of electric bicycles and electric mopeds to reduce the cost of living and cost of transportation by creating subsidies for those looking to purchase electric bicycles and electric mopeds.

Your Committee notes the concerns raised by the Hawaii State Energy Office relating to recent funding guidelines from the United States Department of Transportation Federal Highway Administration regarding the Bipartisan Infrastructure Law, particularly under the National Electric Vehicle Infrastructure Formula Program, which specify certain technical requirements that are greater than the type of charging facilities that are typically serviced under the State's Electric Vehicle Charging Station Rebate Program.

Your Committee has amended this measure by:

- (1) Deleting certain findings;
- (2) Deleting language that would have established an Electric Bicycle and Electric Moped Rebate Special Fund and instead establishing an electric bicycle and electric moped subaccount within the Highway Development Special Fund;
- (3) Restoring the allocation from the Environmental Response, Energy, and Food Security Tax for the Electric Vehicle Charging Station Rebate Program;
- (4) Allocating an unspecified amount of the Environmental Response, Energy, and Food Security Tax for the Rebate Program;
- (5) Deleting language that would have appropriated funds:
  - (A) For the Rebate Program; and
  - (B) To be deposited into the electric vehicle charging system subaccount; 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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3158, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3158, 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, 2 (Ilgan, LoPresti).

#### **SCRep. 1229-22 Transportation on S.B. No. 3121**

The purpose of this measure is to:

- (1) Establish an accessible parking special account within the Disability and Communication Access Board Special Fund;
- (2) Beginning July 1, 2023, require all costs associated with the Parking for Persons with Disabilities Program to be appropriated from the accessible parking special account; and
- (3) Increase the state annual vehicle registration fee by \$1 and allocate that \$1 to be deposited into the accessible parking special account.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Parking for Persons with Disabilities Program is currently funded by general funds, except for a small portion of revenue collected and retained by the counties for issuing replacement and temporary placards. Establishing an accessible parking special account within the Disability and Communication Access Board Special Fund ensures that the Parking for Persons with Disabilities Program is self-sufficient and continues to serve people with disabilities who use their placards for transportation activities.

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. 3121, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3121, 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, 2 (Ilgan, LoPresti).

#### **SCRep. 1230-22 Transportation on S.B. No. 2834**

The purpose of this measure is to:

- (1) Rename the State Highway Safety Council as the Transportation Safety and Modernization Council;
- (2) Amend the membership of the Council; and
- (3) Expand the Council's duties to help the Department of Transportation achieve state goals and outcomes and provide better transparency on transportation safety and modernization.

Your Committee received testimony in support of this measure from the Ulupono Initiative, Hawai'i Public Health Institute, and one individual. Your Committee received comments on this measure from the Department of Health and Department of Transportation.

Your Committee finds that because the State faces many challenges related to transportation, including having among the worst traffic fatality rates in the country, it is critical to address highway safety. Your Committee also notes the importance of maintaining the original intent of the State Highway Safety Council in advising the Governor on matters relating to the state programs and activities in the field of highway safety.

Therefore, your Committee has amended this measure by:

- (1) Deleting certain findings;
- (2) Deleting language that would have:
  - (A) Renamed the State Highway Safety Council as the Transportation Safety and Modernization Council;
  - (B) Specified certain members on the Council;
  - (C) Expanded the responsibilities and duties of the Council; and
  - (D) Required the Department of Transportation to provide certain information for the Council;

- (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 Transportation that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2834, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2834, 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 (Ilagan, LoPresti).

#### **SCRep. 1231-22 Transportation on S.B. No. 3272**

The purpose of this measure is to:

- (1) Establish the Air Noise and Safety Task Force within the Department of Transportation; and
- (2) Require the Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis.

Your Committee received testimony in support of this measure from the Department of Transportation, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, Windward Coalition, and two individuals. Your Committee received comments on this measure from Paradise Helicopters.

Your Committee finds that there is increasing concern with safety risks and community disruption arising from tour helicopter and small aircraft operations in the State. Although there have been collaborative efforts to address increasing safety and community disruption concerns, this measure further ensures transparency and accountability for tour aircraft operators by establishing certain reporting requirements.

Your Committee has amended this measure by:

- (1) Deleting language that would have established the Air Noise and Safety Task Force within the Department of Transportation; and
- (2) Making technical, 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. 3272, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3272, 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 (Ilagan, LoPresti).

#### **SCRep. 1232-22 Education on S.B. No. 3091**

The purpose of this measure is to:

- (1) Include commercial enterprises in profit-making operations that students may engage in at schools;
- (2) Clarify that profits from agricultural, industrial, and commercial enterprise pursuits can be used to support the agricultural, industrial, and commercial enterprise programs directly; and
- (3) Allow students to receive school credit in addition to, or in lieu of, any net profits when engaging in profit-making operations.

Your Committee received testimony in support of this measure from the Department of Education and one individual.

Your Committee finds that this measure will provide clarity and consistency with regard to commercial enterprise activities in schools and will give students the opportunity to engage in comprehensive, real-world immersive experiences, particularly in the areas of entrepreneurship and strategic commercial enterprise.

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. 3091, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3091, 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, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1233-22 Education on S.B. No. 3092**

The purpose of this measure is to allow for greater implementation of commercial enterprises in schools by classifying student interns engaged in a commercial enterprise as employees of the State for purposes of the State Tort Liability Act and allowing the Department of Education to use revenue from school commercial enterprises.

Your Committee received testimony in support of this measure from the Department of Education and Mahiku A'o Mai.

Your Committee finds that there is concern that there may be issues with liability that a business could face when employing a student intern through the Department of Education's commercial enterprise program. Your Committee further finds that deeming student interns of the commercial enterprise program to be employees of the State will provide some degree of protection for businesses and encourage business participation in the commercial enterprise program.

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. 3092, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3092, 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; Ayes with Reservations (Belatti). Noes, none. Excused, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1234-22 Education on S.B. No. 3094**

The purpose of this measure is to:

- (1) Make an emergency appropriation to the Department of Education to build a virtual school to allow for distance learning; and
- (2) Authorize the issuance of general obligation bonds to make an emergency appropriation for renovations and electrical upgrades for the virtual school.

Your Committee received testimony in support of this measure from the Department of Education; 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 Finance.

Your Committee finds that the COVID-19 pandemic caused unprecedented disruption to the education of Hawaii's students, whereby schools were forced to close and education content was delivered through many different avenues, largely virtual and online. Although schools are now resuming in-person education, some virtual learning should continue. This measure provides sufficient funding to create a virtual school to continue to provide virtual learning for students and hire the necessary staff for its operations.

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 S.B. No. 3094, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3094, 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; Ayes with Reservations (Okimoto). Noes, none. Excused, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1235-22 Education on S.B. No. 3095**

The purpose of this measure is to authorize the issuance of general obligation bonds to make an emergency appropriation for the Department of Education to build a new maintenance base yard.

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

Your Committee finds that on July 1, 2005, the Department of Education and the Department of Accounting and General Services entered into a memorandum of understanding to supplement the transfer of resources pursuant to Act 51, Session Laws of Hawaii 2004. This memorandum of understanding included a provision for the Department of Education to use facilities at Shafter Flats to house its maintenance base yard.

Your Committee further finds that the economic downturn in 2020 and the limited amount of available resources resulted in a request made by the Department of Accounting and General Services on June 4, 2021, to have the Department of Education relocate from the Shafter Flats facility by October 2021. The Department of Education has since been looking for a new facility to house its maintenance base yard, which is vital to the Department to continue to service all of its facilities. This measure will provide sufficient funding to the Department of Education to build a new maintenance base yard.

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 S.B. No. 3095, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3095, 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, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1236-22 Education on S.B. No. 2821**

The purpose of this measure is to:

- (1) Require that menstrual products be provided to all students free of charge on all public school and public charter school campuses; and
- (2) Appropriate funds for the menstrual products.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, Hawaii State Council on Developmental Disabilities, Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Hawai'i Section of the American College of Obstetricians and Gynecologists, Rainbow Family 808, Common Cause Hawaii, Ho'ola Lahui Hawaii, Stonewall Caucus of the Democratic Party of Hawaii, Dreamhouse 'Ewa Beach, Democratic Party of Hawai'i Education Caucus, Papa Ola Lōkahi, Hawaii State Teachers Association, Hawai'i State Democratic Women's Caucus, Ma'i Movement Hawai'i, Hawai'i Women's Coalition, 'Ahahui o na Kauka – Association of Native Hawaiian Physicians, Hawai'i Diaper Bank, Hawaii Youth Services Network, Kamehameha Schools, Hawai'i Public Health Institute, Hawai'i Women Lawyers, Parents and Children Together, Breastfeeding Hawaii, Community Alliance on Prisons, Hawai'i Children's Action Network Speaks!, and numerous individuals. Your Committee received testimony in support of the intent of this measure from the Department of Education and Department of Human Services. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the lack of access to menstrual products in schools limits full participation in school, contributes to higher rates of school absenteeism and missed activities, and perpetuates gender and class inequities. Your Committee further finds that having an adequate supply of quality menstrual products available to students will prevent the extended use of products beyond the recommended time or use of alternatives, which otherwise has a direct and negative impact on student health. This measure will promote menstrual equity by providing menstrual products to all students, free of charge, on all public and charter school campuses.

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. 2821, 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, 12. Noes, none. Excused, 1 (Ohno).

**SCRep. 1237-22 Education on S.B. No. 2184**

The purpose of this measure is to:

- (1) Establish a digital learning center within the Department of Education; and
- (2) Appropriate funds for staffing and programmatic expenses for the digital learning center.

Your Committee received testimony in support of this measure from the Department of Education; Chamber of Commerce Hawaii; National Federation of the Blind of Hawaii; Tangent Inc.; Succeed Hawaii, LLC; Kamehameha Schools; and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that digital learning will continue to be a critical component of education in the twenty-first century. Your Committee further finds that digital learning also has the potential to promote the equitable delivery of high-quality educational offerings to students throughout Hawaii. Your Committee additionally finds that the establishment of a digital learning center within the Department of Education will help to improve the quality and delivery of digital learning services for students statewide.

As affirmed by the record of votes of the members of your Committee on Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2184, 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, 12. Noes, none. Excused, 1 (Ohno).

**SCRep. 1238-22 Education on S.B. No. 2826**

The purpose of this measure is to establish and appropriate funds for a career development success program to provide financial incentives for participating public high schools and charter schools to encourage students enrolled in grades nine through twelve to enroll in and successfully complete qualified industry-credential programs.

Your Committee received testimony in support of this measure from the Department of Education, State Public Charter School Commission, Chamber of Commerce Hawaii, HawaiiKidsCan, Society of Human Resource Management Hawaii, Hawaii Business Roundtable, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

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. This measure will establish a career development success program to incentivize high school students to enroll in and successfully complete qualified industry-credential programs and better prepare them for joining Hawaii's workforce.

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. 2826, 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, 12. Noes, none. Excused, 1 (Ohno).

**SCRep. 1239-22 Education on S.B. No. 2081**

The purpose of this measure is to:

- (1) Establish the Department of Education Commercial Enterprises Revolving Fund to accept the deposit of revenues from commercial enterprises at public schools; and
- (2) Authorize the Department of Education to expend revenues from the commercial enterprise programs to support the operations of the programs.

Your Committee received testimony in support of this measure from the Department of Education and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that commercial enterprises provide students with the hands-on and real-world experiences that are critical to post-secondary or workforce success. Your Committee further finds that the revenues generated by these commercial enterprises support various programs within schools and ensure the sustainability of those efforts. Your Committee notes that the restrictions on the intake and distribution of funds in schools are a challenge when implementing a commercial enterprise. This measure will remove the barriers that hinder the effectiveness and progression of the commercial enterprises and provide more schools with the opportunity to create and implement commercial enterprises.

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. 2081, 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, 12. Noes, none. Excused, 1 (Ohno).

**SCRep. 1240-22 Education on S.B. No. 2183**

The purpose of this measure is to exempt certain Department of Education employees from the state residency requirement under section 78-1, Hawaii Revised Statutes.

Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association and two individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that with the expansion of telework options and improvements in infrastructure, the hiring of professionals for certain positions within the Department of Education to work remotely has the potential to satisfy critical hiring needs in a fiscally prudent manner. Your Committee further finds that this measure allows to the Department of Education to satisfy these critical hiring needs by allowing the Department to hire non-resident employees. While this measure will provide the Department of Education with hiring flexibility, your Committee believes that the exemption from the residency requirement should not apply to teachers.

Your Committee has amended this measure by:

- (1) Providing that the exemption from the state residency requirement shall not apply to teachers;
- (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. 2183, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2183, S.D. 2, 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, 1 (Ohno).

#### **SCRep. 1241-22 Education on S.B. No. 2817**

The purpose of this measure is to repeal certain annual reporting requirements of the Department of Education.

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

Your Committee finds that certain reporting requirements for the Department of Education are no longer necessary. Your Committee further finds that this measure will reduce the reporting requirements for the Department of Education, which will allow Department staff and resources to be put toward other priorities.

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. 2817, 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, 12. Noes, none. Excused, 1 (Ohno).

#### **SCRep. 1242-22 Economic Development on S.B. No. 3334**

The purpose of this measure is to:

- (1) Establish the Director of Business, Economic Development, and Tourism as an ex officio voting member of the Hawaii Tourism Authority and School Facilities Authority;
- (2) Remove the authority of the Stadium Authority to maintain, operate, and manage the stadium development district and instead require the Stadium Authority to maintain, operate, and manage the Stadium and attached facilities;
- (3) Amend the composition of the Hawaii Community Development Authority and community development districts;
- (4) Rename the Stadium Development District the Stadium Community Development District;
- (5) Transfer the authority of the Stadium Community Development District from the Stadium Authority to the Hawaii Community Development Authority;
- (6) Increase the amount of general obligation bonds issued for the Stadium Community Development District; and
- (7) Transfer the Stadium Authority and School Facilities Authority from the Department of Accounting and General Services and Department of Education, respectively, to 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; and Hawaii Community Development Authority. Your Committee received testimony in opposition to this measure from four individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Accounting and General Services, Department of Education, Stadium Authority, Hawai'i Tourism Authority, and School Facilities Authority.

Your Committee finds that the effective and efficient development and redevelopment of state lands is an important priority. However, your Committee further finds that expertise with land development is currently spread across various state departments and agencies, which causes discrepancies in the State's plan to efficiently utilize state lands for Hawaii residents. Your Committee notes that the Stadium Authority and School Facilities Authority, both responsible for the development of certain state lands, are currently in the Department of Accounting and General Services and Department of Education, respectively. Your Committee believes that centralizing the State's land development functions within a single department will better ensure that all state lands are being properly utilized.

Your Committee also finds that the companion to this measure, H.B. 2470, H.D. 2 (Regular Session of 2022), was previously passed by the House.

Your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. 2470, H.D. 2, a measure that:
  - (A) Establishes the Director of Business, Economic Development, and Tourism, or the Director's designee, as an ex officio, voting member of the Hawaii Tourism Authority, Stadium Authority, and School Facilities Authority;
  - (B) Repeals the Stadium Development Special Fund's exemption from the departmental administrative expenses assessment;
  - (C) Transfers the Stadium Authority from the Department of Accounting and General Services to the Department of Business, Economic Development, and Tourism;
  - (D) Amends the composition of the Stadium Authority;
  - (E) On July 1, 2023, transfers the School Facilities Authority from the Department of Education to the Department of Business, Economic Development, and Tourism; and
  - (F) Contains an effective date of October 18, 2050;
- (2) Inserting language that reduces the amount of general obligation bonds that may be issued for the Stadium Development District; 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. 3334, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No.

3334, 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. 1243-22 Economic Development on S.B. No. 2808**

The purpose of this measure is to appropriate funds for the State Small Business Credit Initiative Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Technology Development Corporation; Hawaii Green Infrastructure Authority; Chamber of Commerce Hawaii; Hawaii Food Industry Association; and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the State Small Business Credit Initiative Program was established by the federal government in 2021 to assist small businesses. The State is expected to receive over \$56,000,000 in federal funds from the American Rescue Plan Act to provide capital assistance to small businesses in the State. This measure supplements this funding to support small businesses in the State, which is especially critical given the impacts and challenges felt by small businesses as a result of the coronavirus disease 2019 pandemic.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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 S.B. No. 2808, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2808, 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. 1244-22 Economic Development on S.B. No. 3054**

The purpose of this measure is to:

- (1) Expand funding sources and authorized uses of the Hawaii Film and Creative Industries Special Fund; and
- (2) Appropriate funds 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; 'Ohina; NMG Network; Hawai'i International Film Festival; and five individuals. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Hawaii Film and Creative Industries Development Special Fund (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 film and creative industries.

Your Committee has amended this measure by:

- (1) Changing the effective date to October 18, 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 S.B. No. 3054, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3054, 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. 1245-22 Economic Development on S.B. No. 3337**

The purpose of this measure is to:

- (1) Establish a public policy framework that addresses state goals regarding economic disaster mitigation and economic diversification;
- (2) Appropriate funds to implement projects that address these goals;
- (3) Require the Department of Business, Economic Development, and Tourism to submit annual reports to the Legislature summarizing project outcomes; and
- (4) Appropriate funds to staff the Hawaii Center for Advanced Transportation Technologies.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Hawaii State Energy Office; Hawaii Community Development Authority; Hawaii Technology Development Corporation; Hawaii Green Infrastructure Authority; Hawaii Housing Finance and Development Corporation; Hawai'i Tourism Authority; Chamber of Commerce Hawaii; Hunt Development Group, LLC; Kapolei Chamber of Commerce; and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Maui Chamber of Commerce.

Your Committee finds that the early onset of the coronavirus disease 2019 pandemic devastated the State's economy. While the State is beginning to recover from the economic damages, your Committee believes that the State must improve its economic coordination and focus its efforts to meet state goals in the areas of economic disaster mitigation and economic diversification. This measure supports various efforts and projects that will help the State achieve these goals.

Your Committee has amended this measure by:

- (1) Clarifying that funds appropriated for a cyber leaders program may also be used for workforce and economic development of other defense related sectors;
- (2) Changing the effective date to October 18, 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 S.B. No. 3337, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3337, 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. 1246-22 Economic Development on S.B. No. 2599**

The purpose of this measure is to amend the tax credit for research activities by:

- (1) Adding a cap for an eligible taxpayer and its related entities per taxable year;
- (2) Consolidating the survey and certification requirements for the tax credit;
- (3) Increasing the annual aggregate cap; and
- (4) Requiring certification on a first-come, first-served basis, to be determined on the date a complete application is received.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Oceanit; Makai Ocean Engineering, Inc.; and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Taxation; Department of Budget and Finance; and 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 October 18, 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 S.B. No. 2599, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2599, 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. 1247-22 Economic Development on S.B. No. 3243**

The purpose of this measure is to repeal the definition of "industrial park" and replace that term with the newly defined term "economic zone".

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Hawaii Technology Development Corporation is responsible for developing and encouraging industrial parks as technology innovation centers. However, your Committee notes that the term "industrial park" has not been amended since Act 72, Session Laws of Hawaii 2000, and may no longer fit. This measure updates the terminology to "economic zone", as it is a more intuitive description.

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. 3243, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3243, 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. 1248-22 Legislative Management on S.B. No. 2885**

The purpose of this measure is to appropriate funds for one full-time equivalent (1.0 FTE) position in the Legislative Reference Bureau's Public Access Room to provide educational outreach and engagement with all schools in the State.

Your Committee received testimony in support of this measure from the Commission to Promote and Advance Civic Education, Common Cause Hawaii, League of Women Voters of Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Legislative Reference Bureau.

Your Committee finds that the Public Access Room is well positioned to further civic engagement with the Legislature in Hawaii's schools. However, the Public Access Room lacks resources to provide outreach services in addition to the services it currently provides. This measure will afford the Public Access Room the staffing it needs to promote and advance civic education with all schools in the State.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider the appropriation amount necessary to fund the position and consider whether the position should be a civil service position.

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. 2885, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2885, 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, none.

**SCRep. 1249-22 Higher Education & Technology on S.B. No. 2359**

The purpose of this measure is to require the University of Hawaii to establish K-12 expanded teaching cohort programs in each county for students who are pursuing undergraduate degrees in education.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Department of Education, and Hawaii State Teachers Association.

Your Committee finds that for a variety of reasons, Hawaii has long suffered from a shortage of qualified public-school teachers -- a shortage that not only continues but is worsening. Your Committee further finds that these teacher shortages are most severe on the Neighbor Islands. This measure will help to address the teacher shortage through the establishment of K-12 expanded cohort programs across 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 Higher Education & Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2359, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2359, S.D. 1, 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, 4 (Belatti, Ohno, Woodson, Yamane).

**SCRep. 1250-22 Higher Education & Technology on S.B. No. 3205**

The purpose of this measure is to:

- (1) Temporarily re-establish a two-year Hawaii Office of Naval Research Grant Program within the Department of Business, Economic Development, and Tourism to provide fifty-percent matching grants to qualified businesses conducting research and development in alternative energy; and
- (2) Establish the Alternative Energy Research and Development Revolving Fund.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Hawaii Technology Development Corporation; Oceanit; Makai Ocean Engineering, Inc.; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the re-establishment of the Hawaii Office of Naval Research Grant Program will help further the State's goals of promoting renewable energy, supporting local businesses, and keeping high-paying, high-skilled jobs in Hawaii.

Your Committee has amended this measure by:

- (1) Adding alternative fuels, hydrogen, batteries, and energy storage as fields of research by which a business could qualify for a grant from the Hawaii Technology Development Corporation under this 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 S.B. No. 3205, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3205, 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; Ayes with Reservations (Ganaden, Kapela). Noes, none. Excused, 3 (Ohno, Woodson, Yamane).

**SCRep. 1251-22 Judiciary & Hawaiian Affairs on S.B. No. 2741**

The purpose of this measure is to provide a limited exemption from certain requirements of the State's open meetings law for commissioners of the Commission to Promote Uniform Legislation to attend and fully participate in meetings hosted by the Uniform Law Commission, without any limitation on the number of participating commissioners.

Your Committee received testimony in support of this measure from the Department of the Attorney General and five individuals. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that this measure will enable commissioners of the Commission to Promote Uniform Legislation to perform their duties as the Hawaii delegation to the National Conference of Commissioners on Uniform State Laws, including selecting, drafting, considering, and amending various legislation to be adopted as uniform 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. 2741 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, 3 (D. Kobayashi, Lowen, Tokioka).

**SCRep. 1252-22 Judiciary & Hawaiian Affairs on S.B. No. 2114**

The purpose of this measure is to update the Children's Justice Program to include the investigation and management of cases involving suspected or confirmed child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and child witnesses to crime or violence.

Your Committee received testimony in support of this measure from the Judiciary; Department of the Attorney General; Department of Human Services; Department of Education; Honolulu Police Department; Office of the Prosecuting Attorney of the County of Hawai'i; County of Kauai Victim/Witness Program; Hawaii State Bar Association; Child and Family Service, Hilo Office; Catholic Charities Hawai'i; Parents and Children Together; Hawai'i Exploitation and Trafficking Unit; Friends of the Children's Justice Center of Oahu; The Sex Abuse Treatment Center; and one individual.

Your Committee finds that the Children's Justice Program was established to ensure a fair and neutral process for handling reports of alleged child sexual abuse that protects the rights of victims and alleged perpetrators. This measure would update statutory language to reflect the Program's existing priorities for cases involving child sex abuse, serious physical child abuse, child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and children who are witnesses to crime or violence.

As 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. 2114 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, 3 (D. Kobayashi, Lowen, Tokioka).

**SCRep. 1253-22 Judiciary & Hawaiian Affairs on S.B. No. 2390**

The purpose of this measure is to:

- (1) Increase the number of associate judges on the Intermediate Court of Appeals from five to six; and
- (2) Appropriate funds to the Judiciary for the additional intermediate appellate court associate judge.

Your Committee received testimony in support of this measure from the Judiciary, Hawaii State Bar Association, Appellate Section of the Hawaii State Bar Association, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the addition of an Intermediate Court of Appeals associate judge and support staff will allow the court to resolve more appeals expeditiously and reduce its historical backlog of appeals, including appeals related to high priority matters involving termination of parental rights, child custody, and criminal cases involving defendants in custody.

Your Committee has amended this measure by changing the effective date to January 1, 2022, 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. 2390, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2390, 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, 1 (McKelvey).

**SCRep. 1254-22 Judiciary & Hawaiian Affairs on S.B. No. 2740**

The purpose of this measure is to:

- (1) Allow the Judiciary to compensate guardians ad litem for involuntary hospitalization and assisted community treatment petitions at a rate higher than existing statutory guidelines; and
- (2) Appropriate funds to the Judiciary for compensation of guardians ad litem appointed to individuals who are the subject of a petition for involuntary hospitalization or assisted community treatment and related costs.

Your Committee received testimony in support of this measure from the Judiciary; Department of the Prosecuting Attorney of the City and County of Honolulu; The Institute for Human Services, Inc.; and three individuals.

Your Committee finds that guardians ad litem serve a vital role in supporting and advocating for persons who are being considered for involuntary hospitalization or assisted community treatment. This measure will allow the Judiciary to increase the number of guardians ad litem assisting these vulnerable persons and ensure that adequate compensation is provided when handling these cases.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance choose to deliberate on this measure, your Committee respectfully requests that the Committee on Finance give consideration to \$100,000 as the appropriate amount for the funds requested in this measure.

As 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. 2740, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2740, 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 (McKelvey).

**SCRep. 1255-22 Judiciary & Hawaiian Affairs on S.B. No. 3044**

The purpose of this measure is to provide a mechanism for:

- (1) Tobacco product manufacturers that are not signatories to the Master Settlement Agreement to assign their interest in any qualified escrow fund balances to the State; and
- (2) Financial institutions acting as the escrow agent of the qualified escrow fund to petition the courts to authorize transfer of funds to the State when the qualified escrow fund is abandoned.

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

Your Committee finds that the Tobacco Liability Act requires certain tobacco product manufacturers that are not signatories to the Master Settlement Agreement (nonparticipating tobacco manufacturers) to make certain payments into a qualified escrow fund based on their cigarette sales in the State. Under the Tobacco Liability Act, these nonparticipating tobacco manufacturers are required to open and manage their own escrow fund, with rights to the escrow funds belonging only to the manufacturers and the State.

However, your Committee finds that existing law is silent as to how a nonparticipating tobacco manufacturer should close an escrow account or what financial institutions may do when an escrow account is abandoned. In 2018, one nonparticipating tobacco manufacturer indicated a willingness to assign its interest in its qualified escrow fund to the State. This step was part of its efforts to close the escrow fund since the manufacturer no longer sold tobacco products in the United States. This measure would authorize such assignments.

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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3044, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3044, 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 (McKelvey).

**SCRep. 1256-22 Judiciary & Hawaiian Affairs on S.B. No. 1346**

The purpose of this measure is to increase compensation for a juror or prospective juror from \$30 to \$50 for each day of attendance at court.

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

Your Committee finds that juror compensation has not been increased since 1986. Your Committee recognizes the sacrifices made by jurors and prospective jurors in the performance of their civic duty and believes that an increase in compensation is timely.

Your Committee has amended this measure by changing the effective date to January 1, 2022, 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. 1346, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1346, 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, 1 (McKelvey).

**SCRep. 1257-22 Judiciary & Hawaiian Affairs on S.B. No. 3041**

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 and Earthjustice. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, and Department of Education.

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:

- (A) \$40.65 in general funds for a claim by Sang Chol Bang;
- (B) \$1,283.01 in general funds for a claim by Rodney Baculpo;
- (C) \$1,283 in general funds for a claim by Darlene Vicente fka Darlene Baculpo;
- (D) \$383,119.65 in general funds for a claim by Princeville Hotel, LP;
- (E) \$132,611.78 from the Department of Agriculture's operating budget for a settlement in the case of Nā Kia'i Kai v. Nakatani, et al.;
- (F) \$145,736.28 from the Department of Land and Natural Resources' operating budget for a settlement in the case of Kaupiko, et al. v. Dept. of Land and Natural Resources, State of Hawaii;
- (G) \$250,540 from the Department of Public Safety's operating budget for a settlement in the case of Anthony Chatman, et al. v. Max N. Otani;
- (H) \$150,000 from the Department of Public Safety's operating budget for a settlement in the case of Curt K.K. Tokunaga, et al. v. Dept. of Public Safety, State of Hawaii;
- (I) \$40,000 from the Department of Public Safety's operating budget for a settlement in the case of Faatalale Auelua v. State of Hawaii;
- (J) \$550,000 from the Department of Public Safety's operating budget for a settlement in the case of HELG Administrative Services, LLC, as Special Administrator of the Estate of Daisy L. Kasitati, deceased, et al. v. Dept. of Public Safety, State of Hawaii; and
- (K) \$125,275.38 from the Department of Education's operating budget for a judgment in the case of UPW on behalf of James Ah Sing v. Christina Kishimoto, et al.;

(2) Deleting language that authorized the payment of claims to the respective persons, or for the satisfaction or settlement of the respectively identified cases, in several amounts or in lesser amounts deemed appropriate, upon checks issued by the Comptroller, subject to the approval of the Attorney General;

(3) Changing the effective date to January 1, 2022, to encourage further discussion; and

(4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the \$125,275.38 judgment in the case of UPW on behalf of James Ah Sing v. Christina Kishimoto, et al., should be paid by the Department of Education rather than the State Public Charter School 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. 3041, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3041, 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, 1 (McKelvey).

**SCRep. 1258-22 Judiciary & Hawaiian Affairs on S.B. No. 2458**

The purpose of this measure is to appropriate funds to the Judiciary to contract with nonprofit organizations to provide legal counsel and assistance to low-income immigrants in immigration proceedings and for any other legal issues pertaining to immigration.

Your Committee received testimony in support of this measure from the Judiciary; Department of Human Services; Department of Labor and Industrial Relations, Office of Community Services; Catholic Charities Hawai'i; Hawai'i Friends of Civil Rights; Hawai'i Coalition for Immigrant Rights; Hawai'i Access to Justice Commission; The Legal Clinic; Pacific Gateway Center; and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that many noncitizens lack the resources to obtain legal representation to help navigate the highly complex immigration court process, which may result in detainment or deportation. This measure will allow noncitizens to obtain vital legal counsel and assistance to ensure a more fair process.

Your Committee has amended this measure by:

- (1) Updating its purpose section; and
- (2) Changing certain references from "immigrant" to "noncitizen" to better describe the class of persons involved.

As 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. 2458, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2458, 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, 3 (D. Kobayashi, Lowen, Tokioka).

#### **SCRep. 1259-22 Judiciary & Hawaiian Affairs on S.B. No. 3189**

The purpose of this measure is to impose a heightened criminal penalty of a class C felony on persons who repeatedly commit the offenses of gambling, possession of gambling records in the second degree, or possession of a gambling device within ten years.

Your Committee received testimony in support of this measure from two individuals. 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 the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that illegal gambling houses have a profoundly negative impact on communities across the State, particularly residential neighborhoods. Illegal gambling houses have been shown to attract and foster violence, illicit drugs, sex trafficking, and other dangerous activities. By strengthening the criminal penalties for promoting gambling in the first and second degree, your Committee believes that persons who work at illegal gambling houses will be deterred from participating in the illegal enterprise.

Accordingly, your Committee has amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2197, H.D. 1 (Regular Session of 2022), which:
  - (A) Amends the offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively; and
  - (B) Excludes the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea; and
- (2) Making technical, 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. 3189, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3189, 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; Ayes with Reservations (McKelvey). Noes, none. Excused, 3 (D. Kobayashi, Lowen, Tokioka).

#### **SCRep. 1260-22 Judiciary & Hawaiian Affairs on S.B. No. 2162**

The purpose of this measure is to implement the use of ranked-choice voting for special elections held for congressional races in the State and vacant county council seats.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Hawai'i Alliance for Progressive Action, Common Cause Hawaii, Americans for Democratic Action Hawaii, FairVote Action, League of Women Voters, and thirteen individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the existing plurality voting method in special elections allows a candidate to win an election without a majority of votes when there are more than two candidates for the office. However, ranked-choice voting is an election method that provides voters the ability to rank candidates in order of preference and has been used effectively in other jurisdictions.

Your Committee has amended this measure by:

- (1) Clarifying the process in the event that there is a three-way tie between candidates for the most votes;
- (2) Changing the effective date to January 1, 2022, 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. 2162, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2162, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (Ward). Excused, 1 (McKelvey).

#### **SCRep. 1261-22 Judiciary & Hawaiian Affairs on S.B. No. 2087**

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the Victim Witness Assistance Program, including the hiring of necessary staff.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu; Mahikū A'o Mai, LLC; and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the funding provided by this measure will help guide victims, witnesses, and surviving family members through the criminal justice system.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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 consider appropriating funds for victim witness assistance programs in the other counties.

As 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. 2087, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2087, 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, 1 (McKelvey).

#### **SCRep. 1262-22 Judiciary & Hawaiian Affairs on S.B. No. 416**

The purpose of this measure is to:

- (1) Clarify the applicable expert witness fees in state criminal cases; and
- (2) Increase per diem payments for other witnesses required to travel and stay overnight to attend a state court or grand jury in any criminal case.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, and Department of the Prosecuting Attorney of the County of Maui.

Your Committee finds that after more than thirty years, the Department of Budget and Finance decided to discontinue reimbursements of certain expert witness fees and create new rules about when witnesses would be reimbursed. Although the Governor issued an administrative directive that reestablished the previous procedures regarding expert witness reimbursements, your Committee believes that further statutory clarification regarding expert witness reimbursements may be necessary.

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. 416, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 416, 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 (McKelvey).

#### **SCRep. 1263-22 Judiciary & Hawaiian Affairs on S.B. No. 2663**

The purpose of this measure is to alter the filing fee schedules for actions to determine father and child relationships to achieve parity with divorce cases by:

- (1) Establishing an initial filing fee of \$100; and
- (2) Eliminating the filing fee to file motions.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Health Committee of the Democratic Party of Hawai'i.

Your Committee finds that this measure will establish clear filing fees for paternity actions which will reduce the burden, confusion, and uncertainty for litigants under the existing filing fee schedule.

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. 2663, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2663, 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 (McKelvey).

#### **SCRep. 1264-22 Judiciary & Hawaiian Affairs on S.B. No. 2088**

The purpose of this measure is to appropriate funds to the Department of the Prosecuting Attorney of the City and County of Honolulu as a grant-in-aid for the Career Criminal Prosecution Unit.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and Retail Merchants of Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Career Criminal Prosecution Unit was created because a disproportionate amount of serious crimes 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 changing the effective date to January 1, 2222, to encourage further discussion.

Your Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider appropriating funds for career criminal prosecution units in the other counties.

As 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. 2088, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2088, 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, 1 (McKelvey).

#### **SCRep. 1265-22 Judiciary & Hawaiian Affairs on S.B. No. 3114**

The purpose of this measure is to:

- (1) Establish a \$25 fee for all licenses to solemnize a marriage to be deposited into the Vital Statistics Improvement Special Fund;
- (2) Require the Department of Health to account for the collection and deposit of the fee into the Vital Statistics Improvement Special Fund; and
- (3) Repeal certain provisions related to obtaining a license to solemnize civil marriage ceremonies for consistency with the purpose of this measure.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that there are no fees for licenses to solemnize marriages for religious and judicial marriage solemnizers. Your Committee further finds that the State should benefit from its sanction to duly authorize marriage officiants.

As 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. 3114, 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, 10. Noes, none. Excused, 1 (McKelvey).

#### **SCRep. 1266-22 Judiciary & Hawaiian Affairs on S.B. No. 2136**

The purpose of this measure is to prohibit juror exclusion based on gender identity or expression.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, Hawai'i Health & Harm Reduction Center, and three individuals.

Your Committee finds that gender identity and expression are not expressly protected from discrimination in jury service under existing law. This measure will clarify that a citizen may not be excluded from jury service in Hawaii based on their gender identity or expression.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 2136, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2136, 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 (McKelvey).

#### **SCRep. 1267-22 Judiciary & Hawaiian Affairs on S.B. No. 1048**

The purpose of this measure is to authorize 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 received testimony in opposition to this measure from one individual.

Your Committee finds that eliminating the finite list of services for which the Hawaii Criminal Justice Data Center and state and county criminal justice agencies are allowed to charge fees will enable these criminal justice agencies to include fees for all of their 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 well as state and county criminal justice agencies.

As 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. 1048, 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, 3 (D. Kobayashi, Lowen, Tokioka).

#### **SCRep. 1268-22 Judiciary & Hawaiian Affairs on S.B. No. 2392**

The purpose of this measure is to appropriate funds to the Judiciary to purchase civil legal services for low- and moderate-income persons.

Your Committee received testimony in support of this measure from the Judiciary; Department of Human Services; Department of Labor and Industrial Relations, Office of Community Services; Hawaii Justice Foundation; Hawai'i State Coalition Against Domestic Violence; Hawai'i Access to Justice Commission; Hawai'i Health & Harm Reduction Center; Volunteer Legal Services Hawai'i; The Legal Clinic; Legal Aid Society of Hawai'i; and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that legal services can be prohibitively expensive for low- and moderate-income persons. However, there are several nonprofit and volunteer organizations in the State that provide quality legal services to these persons. This measure helps to ensure that legal services are available to persons who need them but lack the resources to pay for them.

Your Committee also finds that the Department of Labor and Industrial Relations' Office of Community Services testified that it has administered funding from the Legislature to provide legal services similar to this measure in the past.

Accordingly, your Committee has amended this measure by:

- (1) Changing the expending agency for the appropriated funds from the Judiciary to the Department of Labor and Industrial Relations, Office of Community Services;
- (2) Changing the effective date to January 1, 2022, 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. 2392, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2392, 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, 3 (D. Kobayashi, Lowen, Tokioka).

#### **SCRep. 1269-22 Judiciary & Hawaiian Affairs on S.B. No. 2623**

The purpose of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian home lands tract from being placed on the waiting list

maintained by the Department of Hawaiian Home Lands for an additional lease.

Your Committee 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 certain Native Hawaiians who are eligible for a lease pursuant to the Hawaiian Homes Commission Act, 1920, as amended, have acquired a lease, sold or transferred their interest in the lease, and then placed their name on the waiting list for a second lease of Hawaiian home lands. This has contributed to many otherwise eligible Native Hawaiians never receiving a lease offer. Your Committee believes that all Department of Hawaiian Home Lands beneficiaries should be able to enter the Hawaiian Homes Commission Act program with a reasonable expectation of eventually receiving a lease.

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. 2623, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2623, 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; Ayes with Reservations (Nakamura). Noes, 1 (D. Kobayashi). Excused, 1 (McKelvey).

#### **SCRep. 1270-22 Agriculture on S.B. No. 2992**

The purpose of this measure is to establish the Hawaii Agricultural Investment Program within the Department of Agriculture to provide fifty percent matching grants for certain activities that increase local agricultural production or processing capacity.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Ulupono Initiative, Hawai'i Farm Bureau, Hawaii Food Industry Association, Food+ Policy Internship 2022, Kauai Women's Caucus, and seven individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, and Department of the Attorney General.

Your Committee finds that revitalization of the local agriculture industry is essential to a sound local economy and the future of agriculture in the State. According to the Department of Agriculture, in a recent commercial agriculture survey of local farming operators conducted by the USDA-NASS, fifty-eight percent of participating farms cited the high cost of production as the leading barrier to their commercial expansion, and all farms surveyed indicated that a \$100,000 grant would improve their total gross sales after one year. Your Committee also finds that most small farmers and ranchers lack the capacity and resources to initiate, participate in, and benefit from ancillary support activities in the areas of production, processing, storage, distribution, product research, and product marketing. This measure will provide funding and support for such assistance to support these farmers and ranchers in attaining desirable levels of efficiency, competitiveness, and expansion capacity, to help increase the production of locally grown food.

Your Committee has amended this measure by:

- (1) Broadening the scope of the Hawaii Agricultural Investment Program to include matching grants for the conversion of farm owner or operator and business owner or operator operations to cage free operations;
- (2) Lowering the grant matching requirement for the Hawaii Agricultural Investment Program, with the State providing seventy-five percent and federal, private, and other sources providing twenty-five percent; 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. 2992, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2992, 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 (Matayoshi, Todd).

#### **SCRep. 1271-22 Health, Human Services, & Homelessness on S.B. No. 1134**

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 an investigation for 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 and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that existing law limits the Department of Human Services' ability to enter a vulnerable adult's premises without a warrant. Specifically, warrantless entries are only limited to instances in which there is probable cause to believe that a vulnerable adult will be physically injured. Your Committee further finds that other types of abuse, such as psychological abuse, sexual abuse, financial exploitation, or caregiver neglect can result in damaging losses to the vulnerable adult's mental health, welfare, and financial stability. Authorizing employees of the Department of Human Services to enter a vulnerable adult's premises without a warrant for additional forms of reported abuse will enable the Department to more rapidly assess the vulnerable adult, interrupt the reported abuse, initiate an investigation, and make referrals to address or reduce the severity and risk of harm resulting from the reported abuse.

Your Committee has amended this measure by:

- (1) Limiting the expansion of the Department of Human Services' warrantless right of entry to investigations of caregiver neglect, self-neglect, or physical abuse;
- (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. 1134, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1134, 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, none.

#### **SCRep. 1272-22 Health, Human Services, & Homelessness on S.B. No. 1294**

The purpose of this measure is to appropriate funds to restore basic diagnostic, preventive, and restorative dental benefits for adult Medicaid enrollees.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Aging, Hawaii State Council on Developmental Disabilities, John A. Burns School of Medicine at the University of Hawai'i at Mānoa, Hawaii Disability Rights Center, AARP Hawai'i, Hawaii Medical Service Association, Oral Health Progress and Equity Network, Health Committee of the Democratic Party of Hawai'i, PHOCUSED Project of the Hawai'i Appleseed Center for Law and Economic Justice, Hawai'i Children's Action Network Speaks!, Ho'ōla Lāhui Hawai'i, Hawaii Primary Care Association, UnitedHealthcare, Hawaii Association of Health Plans, Hawai'i Section of the American College of Obstetricians and Gynecologists, Americans for Democratic Action Hawai'i, Kaiser Permanente Hawai'i, Hawaii Dental Service, Hawaii Dental Hygienists' Association, AlohaCare, Waianae Coast Comprehensive Health Center, Catholic Charities Hawai'i, Papa Ola Lōkahi, Hawaii Dental Association, 'Ohana Health Plan, Waimānalo Health Center, The Queen's Health Systems, Parents And Children Together, Hawai'i Oral Health Coalition, Hawaii Medical Association, Kōkua Kalihi Valley Comprehensive Family Services, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that oral health disease is a significant health problem for many Hawaii residents, as multiple policy and system issues in the State have left the oral health of Hawaii's families and children worse than the rest of the nation. Your Committee further finds that since preventive and restorative dental care services for adult Medicaid enrollees were terminated in 2009, a disproportionate number of adult Medicaid enrollees now use the emergency room for emergency dental services. This measure will improve the overall health of the State's Medicaid recipients by restoring basic diagnostic, preventive, and restorative dental benefits to adult Medicaid enrollees.

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. 1294, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1294, 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, none.

#### **SCRep. 1273-22 Health, Human Services, & Homelessness on S.B. No. 2017**

The purpose of this measure is to repeal existing law that limits licensure as an Emergency Medical Technician 1 to individuals whose practice is performed in a county with a population of five hundred thousand or greater.

Your Committee received testimony in support of this measure from the Hawaii Medical Board, State Fire Council, Maui Fire Department, and Honolulu Fire Department.

Your Committee finds that Act 119, Session Laws of Hawaii 2021, (Act 119) created an additional category for Emergency Medical Technician 1, which is an individual who is certified at a higher practice level than emergency medical responders, but does not provide ambulance services. The intent of Act 119 was to align the State with national trends and mitigate the unintended consequences associated with the deregulation of the State's emergency medical services system. However, Act 119 limited the licensure of Emergency Medical Technician 1 to counties with a population greater than five hundred thousand, which excluded emergency medical responders who do not provide ambulance services, such as firefighters and lifeguards, in the counties of Maui and Kauai. Your Committee finds that it is in the interest of public health to expand the licensure of Emergency Medical Technician 1 to all counties 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 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. 2017, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2017, 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, none.

#### **SCRep. 1274-22 Health, Human Services, & Homelessness on S.B. No. 2137**

The purpose of this measure is to require the Department of Health and pertinent county agencies to work together to resolve problems and complaints regarding clean and sober homes.

Your Committee received testimony in support of this measure from the Department of Health and Hawaii Substance Abuse Coalition. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that clean and sober homes are an important tool in treatment for substance use disorder. Your Committee further finds that requiring the Department of Health to work with pertinent county agencies to resolve complaints about clean and sober homes and provide community education on clean and sober homes will increase understanding and reduce misinformation and complaints.

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. 2137, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2137, 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, none.

#### **SCRep. 1275-22 Health, Human Services, & Homelessness on S.B. No. 2424**

The purpose of this measure is to require that, when one of the parties to a marriage is a minor and the other party is more than five years older than the minor, the Child Protective Services Unit of the Department of Human Services investigate all parties to the marriage, including the prospective spouse and any person giving written consent to the minor's marriage, and report its findings to the Family Court before the court consents to the marriage and a license may be issued.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, Rainbow Family 808, Hawaii Youth Services Network, AF3IRM Hawai'i, and one individual. Your Committee received testimony in opposition to this measure from Unchained At Last, Tahirih Justice Center, and one individual. Your Committee received comments on this measure from the Department of Human Services and Department of Health.

Your Committee finds that there is growing recognition that child marriage is a human rights violation and a severe impediment to social and economic development. There is additional concern that a child entering into marriage may have been pressured or coerced into marrying or the marriage may be the result of sex trafficking. Existing state law allows children as young as sixteen to marry, with a Family Court authorization required if the child is fifteen years of age. Comparatively, the State's sexual assault laws criminalize sexual conduct with a fifteen-year-old unless the fifteen-year-old is legally married to the sexual partner or the sexual partner is no more than five years older than the minor. This measure balances certain protections for children with existing law by requiring the Child Protective Services Unit to investigate all parties to a marriage and make a report of its findings to the Family Court prior to the issuance of a marriage license when one of the parties is a minor and the other party is more than five years older than the minor.

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. 2424, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2424, 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, none.

#### **SCRep. 1276-22 Health, Human Services, & Homelessness on S.B. No. 2459**

The purpose of this measure is to:

- (1) Require the Office of Language Access to submit an annual report to the Governor and Legislature regarding compliance with state and federal language access laws; and
- (2) Appropriate funds to establish Limited English Proficiency Language Coordinator positions in the Departments of Commerce and Consumer Affairs, Health, and Agriculture, and in the Hawaii Emergency Management Agency.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Human Services, Office of Community Services, Common Cause Hawaii, Catholic Charities Hawai'i, The Legal Clinic, Hawai'i Friends of Civil Rights, Hawai'i Children's Action Network Speaks!, Hawai'i Coalition for Immigrant Rights, Refugee Advocacy Lab, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Commerce and Consumer Affairs, Hawai'i Emergency Management Agency, and Office of Language Access.

Your Committee finds that one out of every nine persons living in Hawaii is limited English proficient, which limits their ability to access important benefits and services and obtain essential information during public health emergencies, pandemics, or natural disasters. Your Committee further finds that while the Office of Language Access was created in 2006 to address the barriers created by limited proficiency in English, the Office is only authorized to eliminate the language barrier through informal means. This measure strengthens the Office of Language Access' ability to ensure compliance with state and federal language access laws by requiring the Office to submit an annual report, which will provide the Governor and Legislature with timely information that is crucial in improving the State's efforts to enhance and promote language access.

Your Committee has amended this measure by:

- (1) Appropriating an unspecified sum to establish three Limited English Proficiency Language Coordinator positions in the Office of Language Access to work with all state departments and agencies, rather than establishing separate coordinator positions in the Departments of Commerce and Consumer Affairs, Health, and Agriculture, and the Hawaii Emergency Management Agency;
- (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. 2459, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2459, 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, none.

#### **SCRep. 1277-22 Health, Human Services, & Homelessness on S.B. No. 2634**

The purpose of this measure is to appropriate state funds required to draw down the federal matching funds to extend Medicaid postpartum coverage to twelve months following the end of pregnancy.

Your Committee received testimony in support of this measure from the Department of Human Services; Executive Office on Early Learning; Hawai'i State Commission on the Status of Women; Disability and Communication Access Board; American Heart Association; Planned Parenthood Alliance Advocates - Hawai'i; Hawaii Family Forum; Hawaii Medical Association; Healthcare Association of Hawaii; Hawaii Association of Health Plans; Hawaii Medical Service Association; UnitedHealthcare; Hawai'i Women Lawyers; AlohaCare; Save Medicaid Hawaii; Breastfeeding Hawaii; Hawaii Women's Coalition; The Queen's Health Systems; Hawai'i Pacific Health; Hawai'i Section of the American College of Obstetricians and Gynecologists; American Academy of Pediatrics; Hawaii Chapter; Hawai'i Pacific Public Health Institute; Hawai'i Children's Action Network Speaks!; Hawaii Primary Care Association; 'Ahahui o nā Kauka; March of Dimes; Hawai'i Maternal & Infant Health Collaborative; Kaiser Permanente Hawai'i; Hawai'i Public Health Association; American Association of University Women of Hawaii; and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the United States has one of the highest maternal mortality rates among high-income countries. As a result, there has been an increased emphasis on the importance of postpartum care, as women are more likely to die of pregnancy-related conditions during the twelve months following childbirth than during pregnancy or childbirth. Your Committee further finds that Medicaid pregnancy coverage, which pays for nearly half of all births in the United States, expires sixty days after childbirth. However, a provision in the American Rescue Plan Act of 2021 gives states a new option to extend Medicaid postpartum coverage to twelve months via a state plan amendment. This measure appropriates the state funds necessary to draw down federal matching funds



to extend Medicaid postpartum coverage to twelve months following the end of pregnancy, which will improve health access for women and children by providing stability and continuity of care with known and trusted providers.

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. 2634, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2634, 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, none.

#### **SCRep. 1278-22 Health, Human Services, & Homelessness on S.B. No. 2700**

The purpose of this measure is to require the Department of Human Services to annually collect certain information from all early child care workers and educators in the State through its Early Childhood Registry.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Early Childhood Action Strategy, Hawai'i Children's Action Network Speaks!, AF3IRM Hawai'i, and fourteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that the demand for quality early child care and education far exceeds the currently available and qualified early child care capacity in the State. Your Committee further finds that a lack of early child care and education workforce data prevents policymakers from understanding the needs of this workforce, leading to inefficiencies in early child care legislation and education programs. Although the Department of Human Services collects data on the early child care and education workforce through its Early Childhood Registry, it only requires staff used to meet the staff-to-child ratio in licensed child care facilities to enroll and update their information in the registry. This measure ensures policymakers have adequate and timely data on the State's early child care and education workforce by requiring the Department of Human Services to collect data from all early child care workers and educators in the State.

Your Committee has amended this measure by:

- (1) Statutorily authorizing the Department of Human Services to establish and maintain the Early Childhood Registry;
- (2) Removing language that prohibited the Department of Human Services from collecting the first and last name of registrants for registry data collection purposes;
- (3) Clarifying that data collected by the Early Childhood Registry subject to public disclosure shall be aggregated and shall not directly or indirectly result in the disclosure of personally identifiable information;
- (4) Changing the scope of the Department of Human Services' report to the Legislature to include updates to the Early Childhood Registry, rather than the aggregate data of social determinants collected by the Early Childhood Registry;
- (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. 2700, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2700, 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, none.

#### **SCRep. 1279-22 Health, Human Services, & Homelessness on S.B. No. 2736**

The purpose of this measure is to appropriate funds to support a statewide crisis outreach program.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Substance Abuse Coalition, Partners In Care, Hawaii Medical Association, Hawaii Psychiatric Medical Association, Hawai'i Psychological Association, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that CAHOOTS (Crisis Assistance Helping Out On The Streets) was developed by the city of Eugene, Oregon in 1989 to address crisis situations where a social service response is more appropriate than a law enforcement response and is a promising model for responding to crises involving mental illness, homelessness, and addiction. The CAHOOTS method uses a team comprised of a crisis intervention worker and a medic who is either a nurse or an emergency medical technician, and who are trained in de-escalation and crisis intervention methods. Your Committee further finds that an expansion of the Crisis Mobile Outreach program administered by the Adult Mental Health Division of the Department of Health to include medical personnel will increase diversions from emergency departments and reduce the necessity that a person in crisis be brought to an emergency department for medical care.

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. 2736, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2736, 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, none.

**SCRep. 1280-22 Health, Human Services, & Homelessness on S.B. No. 2857**

The purpose of this measure is to establish a five-year Child Wellness Incentive Pilot Program to encourage the completion of well-child examinations.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association; Hawaii Association of Health Plans; American Academy of Pediatrics, Hawaii Chapter; and one individual. Your Committee received testimony in opposition to this measure from the Hawaii Family Advocacy Team and one individual. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committee finds that well-child examinations play an important role in ensuring the health of children by providing needed screening for health problems, immunizations to protect against diseases, and guidance to promote healthy behaviors. Your Committee further finds that children who receive the recommended well-child care are more likely to have developmental concerns identified early and are less likely to use the emergency room. This measure promotes the health of children by incentivizing the completion of well-child examinations.

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. 2857, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2857, 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, none.

**SCRep. 1281-22 Health, Human Services, & Homelessness on S.B. No. 2883**

The purpose of this measure is to:

- (1) Require the Hawaii Health Systems Corporation to convene a task force to facilitate improved, mission-driving hiring and training of culturally-accepted interpreters and create culturally-accepted education materials on preventative care and early intervention to assist non-English speaking populations seeking care at health care facilities; and
- (2) Appropriate funds to support the work of the task force.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, COFA Alliance National Network, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Language Access, and Hawaii Health Systems Corporation.

Your Committee finds that Pacific Islander communities have been affected by the COVID-19 pandemic at significantly higher numbers than any other community of color in the State, with Compact of Free Association (COFA) benefit recipients being particularly adversely impacted. Your Committee further finds that, because of prejudice and discrimination in the health care system, COFA benefit recipients use medical facilities as an option of last resort to treat illnesses, leading to a much more severe prognosis than if they had received treatment at an earlier stage. This measure reduces barriers to health care experienced by COFA benefit recipients and other communities with similar cultural and language barriers by creating a task force to focus on hiring and training culturally accepted interpreters and create culturally accepted materials and preventative care to assist non-English speaking populations seeking care at health care 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 S.B. No. 2883, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2883, 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, none.

**SCRep. 1282-22 Health, Human Services, & Homelessness on S.B. No. 3106**

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

Your Committee received testimony in support of this measure from the Department of Human Services, Early Childhood Action Strategy, and Parents And Children Together.

Your Committee finds that the hiring and retention of qualified, experienced, and knowledgeable information technology staff by the Department of Human Services is vital to effectively achieve information technology infrastructure modernization and system integration projects, maintain on-going system security and compliance, and meet additional supports required by a distributed telework workforce. Your Committee further finds that Act 81, Session Laws of Hawaii 2019, extended a temporary exemption for certain existing positions in the Office of the Director of Human Services for three years. This measure ensures a more effective and efficient administration of the Department of Human Services by creating permanent exemptions from civil service requirements for certain positions within the Department.

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. 3106, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3106, 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 (Kapela). Noes, none. Excused, none.

**SCRep. 1283-22 Health, Human Services, & Homelessness on S.B. No. 3235**

The purpose of this measure is to establish an inter-agency Safe Spaces for Youth Pilot Program to provide safe spaces in each county for youth experiencing homelessness.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Office of the Public Defender, Hawaii Youth Services Network, Stonewall Caucus of the Democratic Party of Hawaii, Rainbow Family 808, Opportunity Youth Action Hui, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, and Department of Budget and Finance.

Your Committee finds that over the course of a year, one in ten young adults in the State between the ages of eighteen and twenty-five and one in thirty adolescents in the State between the ages of thirteen and seventeen experience some form of homelessness in which the young adult or adolescent is unaccompanied by a parent or guardian. Your Committee further finds that homeless and runaway youth are vulnerable to multiple threats, including having unmet basic food and shelter needs, untreated mental health disorders, substance use, significant disruption to their education, sexual exploitation, physical victimization, and suicide. This measure ensures the safety and well-being of homeless youth by requiring the establishment of a coordinated, inter-agency initiative to provide safe spaces in each county for youth experiencing homelessness.

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. 3235, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3235, 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, none.

**SCRep. 1284-22 Health, Human Services, & Homelessness on S.B. No. 3367**

The purpose of this measure is to establish an Early Lung Cancer Screening Task Force to research what steps and resources are necessary to increase early lung cancer screening in Hawaii.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Health, John A. Burns School of Medicine at the University of Hawai'i, Papa Ola Lōkahi, Hawaii Medical Association, Hawaii Primary Care Association, American Lung Association, Hawai'i Public Health Institute, Hawai'i Public Health Association, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that, according to the American Lung Association's 2021 State of Lung Cancer report, lung cancer is the number one killer of men and women in Hawaii. Your Committee further finds that the same report ranks Hawaii last in the nation for the early diagnosis of lung cancer, with just 2.8 percent of high-risk people in Hawaii undergoing annual computerized tomography scans, compared to 5.7 percent nationally. This measure promotes greater cancer screening and prevention efforts in the State by creating an Early Lung Cancer Screening Task Force to identify the steps and resources necessary to increase early lung cancer screening in Hawaii.

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. 3367, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3367, 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, none.

**SCRep. 1285-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on S.B. No. 2600**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, prohibit the Department of Health from issuing permits for new large capacity underground storage tank systems located mauka of the underground injection control line, except for the purposes of repairing or replacing existing tanks; and
- (2) Beginning January 1, 2023, prohibit the operation of, and renewal of permits for, all large capacity underground storage tank systems located mauka of the underground injection control line.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Department of Health; Honolulu Board of Water Supply; Sierra Club of Hawai'i; Hulu Mamo Hawaiian Civic Club; Our Revolution Hawaii; Surfrider Foundation, O'ahu Chapter; Hawai'i Pacific Health Institute; Environmental Caucus of the Democratic Party of Hawai'i; 350Hawaii.org; Livable Hawaii Kai Hui; League of Women Voters of Hawaii; Hawai'i Alliance for Community-Based Economic Development; 'Ahahui o nā Kauka; Hawai'i Alliance for Progressive Action; Aloha 'Āina Legal Group, LLC; Restore the Commons; and fourteen individuals.

Your Committees find that the State's freshwater is a vital and irreplaceable resource. Your Committees further find that the State's potable drinking water is in jeopardy of contamination from fuel leaking from underground storage tanks. Your Committees believe that prohibiting the operation of large capacity underground storage tank systems and the issuance of permits for new large capacity underground storage tank systems mauka of the underground injection control line on each island in the State will reduce the risks posed to the State's drinking water by these systems.

Your Committees have amended this measure by:

- (1) Deleting language permitting the Department of Health to issue a permit for purposes of repairing or removing an existing underground storage tank;
- (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 records of votes of the members of your Committees on Health, Human Services, & Homelessness and Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2600, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2600, 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.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

#### **SCRep. 1286-22 Judiciary & Hawaiian Affairs on S.B. No. 2043**

The purpose of this measure is to repeal certain cross-references in the campaign spending law that refer to language that was previously repealed.

Your Committee received testimony in support of this measure from the Campaign Spending Commission.

Your Committee finds that this housekeeping measure updates Hawaii's campaign spending laws to repeal obsolete references to provisions in the Hawaii Revised Statutes that were repealed in 2018.

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. 2043, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2043, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1287-22 Judiciary & Hawaiian Affairs on S.B. No. 573**

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 of the Hawai'i County Council, Hawai'i Wildlife Center, Center for Biological Diversity, and numerous individuals.

Your Committee finds that state conservation law requires that each habitat conservation plan identify the steps that will be taken to mitigate the impact of any incidental take to the maximum extent practicable. A service agreement with a facility capable of providing emergency medical and rehabilitation services could help to fulfill this requirement in the event of injured wildlife and provide the wildlife with a better chance of survival.

As 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. 573, S.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 (Tokioka).

#### **SCRep. 1288-22 Judiciary & Hawaiian Affairs on S.B. No. 2378**

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten volunteer members to three full-time, salaried members, with at least two members required for quorum;
- (2) Authorizing members to validate the Board's actions with a concurrence of the majority;
- (3) Establishing a compensation schedule for board members with compensation based on a percentage of the Director of Taxation's salary;
- (4) Clarifying that Board meetings are contested case hearings and specifying notice requirements;
- (5) Clarifying the legal and evidentiary framework the Board may use in reaching its decisions; and
- (6) Appropriating funds for Board members and staff.

Your Committee received testimony in support of this measure from the Department of Taxation. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that existing law does not require the Chairperson of the Taxation Board of Review to have experience in litigation or public accounting, skills that are necessary to ensure a fair tax appeals process. Your Committee further finds that establishing a full-time, paid professional Taxation Board of Review and providing the Board with robust institutional support will greatly help the Department of Taxation work through its significant backlog of appeals. This measure would ensure that Hawaii's taxpayers have their tax appeal issues resolved fairly and expeditiously by requiring the Chairperson to be either a state-licensed attorney or Certified Public Accountant and compensating members of the Taxation Board of Review appropriately.

Your Committee has amended this measure by:

- (1) Changing the salary amounts for the Chairperson and members of the Taxation Board of Review to unspecified percentages of the Director of Taxation and Chairperson's salary, 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2378, 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. 2378, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1289-22 Judiciary & Hawaiian Affairs on S.B. No. 204**

The purpose of this measure is to authorize the Department of Land and Natural Resources to use aquatic in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources where a person is required to provide compensatory mitigation either:

- (1) Prospectively, and the use of in-lieu fee mitigation is approved by the agency requiring mitigation; or
- (2) For past damages to aquatic habitats or resources.

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

Your Committee finds that in-lieu fee mitigation is widely used across the United States to achieve ecologically valuable conservation by restoring wetland and stream habitats but has seen increasing national interest for use in improving coral reefs, sea grass, and estuarine habitats. The authority granted to the Department of Land and Natural Resources in this measure will enable Hawaii to become 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 204, 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, none. Excused, 1 (Tokioka).

#### **SCRep. 1290-22 Judiciary & Hawaiian Affairs on S.B. No. 2070**

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist the Hawaiian Legacy Reforestation Initiative to generate a sustainable model of endemic reforestation, ecosystem revitalization, endangered species recovery, and carbon credit sequestering.

Your Committee received testimony in support of this measure from the Hawaiian Legacy Reforestation Initiative, Aloha Green LLC, HPM Building Supply, and eight individuals. Your Committee received testimony in opposition to this measure from 350Hawaii.org. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that native trees in Hawaii provide many benefits, such as reducing climate change, purifying the air, and providing habitats for wildlife. This measure authorizes the issuance of special purpose revenue bonds to support efforts to further promote environmental protection, biodiversity, and climate change mitigation and restore the natural ecosystem 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 S.B. No. 2070, S.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 (McKelvey, Nakamura, Ward). Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1291-22 Energy & Environmental Protection on S.B. No. 2865**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in the construction of a net-zero carbon capture storage utilization platform that will recover vented carbon dioxide emissions and scrub them into food-grade liquid carbon dioxide.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; DIBSHawaii LLC; Craft 8 Ventures, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that while there are many commercial uses for carbon dioxide, Hawaii, like much of the country, is experiencing a carbon dioxide shortage for commercial activity. This measure supports the construction of a net-zero carbon capture storage utilization platform in the State that would provide a variety of benefits, including capturing carbon dioxide that would otherwise be released into the atmosphere, reducing reliance on out-of-state materials for local application, and promoting import substitution and economic diversification.

Your Committee has amended this measure by changing the effective date to July 1, 2100, 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 S.B. No. 2865, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2865, 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 (Matayoshi, Todd).

#### **SCRep. 1292-22 Energy & Environmental Protection on S.B. No. 2963**

The purpose of this measure is to:

- (1) Require state facilities, with the exception of smaller facilities and facilities within the Stadium Development District, to implement cost-effective energy efficiency measures;
- (2) Direct the Hawaii State Energy Office, in consultation with the Research and Economic Analysis Division of the Department of Business, Economic Development, and Tourism, to collect all state-owned facilities' electric utility and energy usage data and make this data publicly available;
- (3) Direct and appropriate funds for positions to assist the Hawaii State Energy Office to collect all state-owned facilities' water utility and water usage data and make this data publicly available;
- (4) Establish a goal for the State to achieve at least a twenty-five percent reduction in the electricity consumption of state facilities;
- (5) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive budget appropriations for energy expenditures; and
- (6) Beginning July 1, 2023, where feasible and cost-effective, require 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 Department of Accounting and General Services, Hawaii State Energy Office, Climate Protectors Hawai'i, Kauai Women's Caucus, Ulupono Initiative, 350Hawaii.org, Environmental Caucus of the Democratic Party of Hawai'i, Blue Planet Foundation, and nineteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Transportation.

Your Committee finds that maximizing efficiency and reducing demand for power generation are necessary components of reaching the State's clean energy and decarbonization goals. Your Committee further finds that it is also important for the State to lead by example when it comes to energy efficiency. This measure establishes a coordinated effort toward energy efficiency throughout the State, resulting in savings of taxpayer dollars that would otherwise be spent

on electricity, water, and other utility bills.

Your Committee has amended this measure by:

- (1) Clarifying certain findings;
- (2) Clarifying provisions that require state facilities to implement cost-effective energy efficiency measures, including amending timelines, clarifying certain restrictions, and removing certain exemptions;
- (3) Clarifying provisions directing the Hawaii State Energy Office to collect all utility bill and energy usage data for state-owned facilities;
- (4) Deleting language that would have required the Hawaii State Energy Office to collect all water utility and water usage data for state-owned facilities and make this data publicly available;
- (5) Deleting language that would have established a goal for the State to achieve at least a twenty-five percent reduction in electricity consumption of state-owned facilities, using 2005 as the baseline year;
- (6) Deleting language that would have appropriated funds for positions for the Hawaii State Energy Office to collect and make available all water utility and water usage data for state-owned facilities; 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. 2963, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2963, 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, 3 (Matayoshi, Todd, Tokioka).

#### **SCRep. 1293-22 Energy & Environmental Protection on S.B. No. 2295**

The purpose of this measure is to require:

- (1) The Department of Transportation to plan for sea level rise in all future or amended transportation projects; and
- (2) All Department of Transportation highway, harbor, and airport projects to conform to certain carbon concrete standards, except in certain circumstances.

Your Committee received testimony in support of this measure from Zero Waste Kauai; Climate Protectors Hawai'i; Craft 8 Ventures, Inc.; Ohana Hui Ventures, Inc.; Friends of Waimanalo; DIBSHawaii LLC; and five individuals.

Your Committee finds that Hawaii's coastlines are vulnerable to the effects of climate change and sea level rise. Therefore, it is critical that the State prepare and plan for potential adaptation alternatives in the construction of future infrastructure projects or amendment of existing projects and conform to certain carbon concrete standards.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 2295, 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. 2295, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

#### **SCRep. 1294-22 Energy & Environmental Protection on S.B. No. 3004**

The purpose of this measure is to permanently establish and appropriate funds for a Compost Reimbursement Program and Compost Reimbursement Program Manager position within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Farmers Union United, Hawai'i Alliance for Progressive Action, Kauai Women's Caucus, Climate Protectors Hawai'i, Our Revolution Hawaii, 350Hawaii.org, Hawai'i Farm Bureau, Environmental Caucus of the Democratic Party of Hawai'i, Down to Earth Organic and Natural, Food+ Policy Internship 2022, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and one individual.

Your Committee finds that composting diverts discarded food and other useful wastes away from landfills and adds valuable nutrients to the soil. This measure encourages and supports local composting efforts that further strengthen the State's soil structure and nutrient-holding capacity and reduce greenhouse gas emissions.

Your Committee has amended this measure by:

- (1) Allowing landscaping operations to qualify under the Compost Reimbursement Program;
- (2) Changing references from "farmers and ranchers" to "farming operations"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that to further expand the Compost Reimbursement Program to support composting efforts by landscapers, an appropriate definition for "landscaping operations" is necessary and believes this issue merits further discussion by your Committee on Finance.

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. 3004, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3004, 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 (Matayoshi, Todd, Tokioka).

**SCRep. 1295-22 Energy & Environmental Protection on S.B. No. 2283**

The purpose of this measure is to require the Hawaii Natural Energy Institute to:

- (1) Conduct a study to examine the State's ability to advance hydrogen production from local renewable energy resources and to use the results of its study to develop the Hawaii Hydrogen Strategic Plan; and
- (2) Review and update the Hawaii Hydrogen Strategic Plan every four years beginning in 2028 and submit interim, final, and annual reports to the Legislature.

Your Committee received testimony in support of this measure from the Hawai'i Natural Energy Institute, Hawaiian Electric Company, Servco Pacific Inc., Ulupono Initiative, Hawai'i Gas, Alliance for Automotive Innovation, and two individuals. Your Committee received testimony in opposition to this measure from Climate Protectors Hawai'i. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that as the State strives to reach its renewable energy goals, it is critical to fully evaluate the potential for hydrogen to contribute to Hawaii's energy needs. Global research and development show significant progress in understanding and establishing hydrogen as a clean and reliable fuel source. This measure supports further study into the impact that hydrogen could have to reduce the State's dependence on imported fossil fuels.

Your Committee has amended this measure by:

- (1) Clarifying the provisions of the study to be conducted by the Hawaii Natural Energy Institute to examine the potential for the production and use of renewable hydrogen in the State and the potential role of renewable hydrogen in achieving a local, affordable, reliable, and decarbonized energy system and economy;
- (2) Specifying that the results of the study shall be used to inform energy planning, which may include a Hawaii Hydrogen Strategic Plan; decarbonization efforts; and other ongoing work being undertaken by the Hawaii State Energy Office;
- (3) Inserting a definition for "renewable hydrogen";
- (4) Deleting language that would have required the Hawaii Natural Energy Institute to:
  - (A) Review and update a hydrogen strategic plan every four years; and
  - (B) Submit an interim and annual report to the Legislature; 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 S.B. No. 2283, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2283, 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; Ayes with Reservations (Matayoshi). Noes, none. Excused, none.

**SCRep. 1296-22 Energy & Environmental Protection on S.B. No. 777**

The purpose of this measure is to establish the offense of criminal destruction of a tree on state or county property, punishable as a misdemeanor.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, Trees for Honolulu's Future, Climate Protectors Hawai'i, and one individual.

Your Committee finds that trees offer many benefits to addressing the effects of climate change, such as promoting carbon sequestration, reducing ambient temperatures and storm water runoff, increasing wildlife habitat, and providing other quality of life benefits. Establishing criminal penalties to apply to the destruction of trees on state or county property would deter the unauthorized destruction of trees and allow for greater protection, preservation, and enhancement of the State's natural resources.

Your Committee has amended this measure by clarifying that the offense of criminal destruction of a tree on state or county property does not apply to volunteers or service groups that have permission to remove undesirable trees.

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. 777, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 777, 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 (Matayoshi, Todd).

**SCRep. 1297-22 Energy & Environmental Protection on S.B. No. 2297**

The purpose of this measure is to add the forfeiture of a vehicle as a punishment for any vehicle used in the commission of illegal disposal of solid waste.

Your Committee received testimony in support of this measure from the Department of Health. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that illegal dumping is a serious problem in the State that has negative impacts on the health and safety of residents and the environment. While there are existing state anti-dumping laws, this inclusion of forfeiture provides another deterrent against illegal dumping.

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. 2297, 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, 6. Noes, none. Excused, 2 (Matayoshi, Todd).

**SCRep. 1298-22 Water & Land on S.B. No. 2581**

The purpose of this measure is to codify as a priority guideline using lands that are leased to the federal government or under federal government control and which are to be returned to the State for the provision of affordable housing.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Partners In Care. 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 the paucity of available land suitable for development has been a major challenge in addressing the State's dire shortage of affordable housing. This measure will facilitate the development of more affordable housing by using lands that were formerly leased to or used by the federal government.

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. 2581, 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. 1299-22 Water & Land on S.B. No. 2922**

The purpose of this measure is to:

- (1) Authorize the counties to adopt ordinances that allow up to one house per quarter-acre in rural districts; and
- (2) Require the Office of Planning and Sustainable Development to conduct a study to refine rural district policies, make recommendations to facilitate the reclassification of lands from the agricultural district to the rural district, and submit reports to the Legislature.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development and Hawai'i Association of REALTORS®. Your Committee received testimony in opposition to this measure from Kūpuna for the Mo'opuna and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, Hawai'i Farm Bureau, and Grassroot Institute of Hawaii.

Your Committee finds that this measure will help to alleviate the dire shortage of affordable housing in the State by permitting the counties to increase density in state-designated rural districts.

Your Committee has amended this measure by:

- (1) Changing the effective date of sections 4 to 7, relating to the rural district study and reports, to July 1, 2022;
- (2) Changing the effective date of sections 2 and 3, relating to the quarter-acre residential density provisions, to July 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the 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. 2922, 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. 2922, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1300-22 Water & Land on S.B. No. 2065**

The purpose of this measure is to prohibit the possession or use on, in, or near state waters of any unmanned aerial vehicles for the purpose of taking aquatic life.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii State Aha Moku; Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in recent years, unmanned aerial vehicles have become a new tool within the fishing community. Drones allow shore fishers to deploy baited hooks farther offshore and more efficiently than traditional shore fishing methods. This practice has resulted in increased interactions with protected species, such as monk seals and turtles, as well as increased user conflicts with boaters, swimmers, divers, surfers, kayakers, and other offshore ocean users. The use of drones has also vastly expanded the footprint of fishing-related tackle becoming debris in the ocean. This measure will help ensure that drones are used in a safe and responsible way.

Your Committee has amended this measure by:

- (1) Changing the term "state waters" to "state marine waters";
- (2) Deleting the provision that any person who violates this measure is guilty of a misdemeanor and subject to a fine of not more than \$10,000 or imprisonment for not more than one year, or both;
- (3) Modifying the definition of "unmanned aerial vehicle" to delete the explicit exclusion of remote controlled airplanes;
- (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 Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2065, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2065, 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 (McDermott).

#### **SCRep. 1301-22 Water & Land/Agriculture on S.B. No. 3179**

The purpose of this measure is to require the Department of Land and Natural Resources' Division of Forestry and Wildlife to conduct a pilot program for feral axis deer herd population management on the islands of Maui, Molokai, and Lanai.

Your Committees received testimony in support of this measure from one member of the Maui County Council; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Maui Chamber of Commerce; and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, and Animal Rights Hawai'i.



Your Committees find that the overpopulation of axis deer poses a significant threat to the ecological security and the health of local communities on several islands, especially in Maui County.

Your Committees further find, however, that bounties to hunters have been found to be generally ineffective in animal management and have often actually resulted in population increases of the target species. Problems include fraud, such as bringing in evidence of kills from animals outside the target area; deliberate release of breeding animals; or purposely leaving some animals behind to ensure future income. Moreover, trespass violations could increase drastically on private lands on which target species congregate. Your Committees recognize that a great deal of literature on the subject matter indicates that bounties are ineffectual or counterproductive and interfere with other, more-effective methods of animal population management.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the pilot program; 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 Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3179, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3179, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

Agriculture: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

#### **SCRep. 1302-22 Water & Land/Agriculture on S.B. No. 3320**

The purpose of this measure is to codify an expedited process to acquire permits to destroy or control game mammals, including feral pigs, on private property.

Your Committees received testimony in support of this measure from the Hawai'i Farm Bureau and Ulupono Initiative. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that the process for acquiring the necessary permits to destroy or control game mammals on private property is often difficult and cumbersome and that creating an expedited process could better allow landowners to protect life and property. However, your Committees also recognize that these provisions may be best determined through administrative rules in order to preserve maximum flexibility in addressing population control of feral pigs on private lands.

Accordingly, your Committees have amended this measure by:

- (1) Deleting the provisions that would have codified the process for acquiring permits to destroy or control game mammals, including feral pigs, on private property; 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 Agriculture that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3320, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3320, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

Agriculture: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

#### **SCRep. 1303-22 Water & Land/Labor & Tourism on S.B. No. 3330**

The purpose of this measure is to require the Department of Land and Natural Resources to establish and conduct a three-year Pupukea Marine Life Conservation District Carrying Capacity Pilot Program.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hi'ipaka, LLC; Hawaii's Thousand Friends; Friends of Hanauma Bay; Surfrider Foundation – Hawai'i Region; Center for Biological Diversity; Hawai'i Reef and Ocean Coalition; He'eia National Estuarine Research Reserve; Kua'aina Ulu 'Auamo; Mālama Pūpūkea-Waimea; Shoreline Conservation Initiative; Kanalani Ohana Farm; and eighteen individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the Pupukea Marine Life Conservation District, a one hundred acre marine life reserve, is one of only three state-designated marine life conservation districts on the island of Oahu; the other two districts are Hanauma Bay and Waikiki. In contrast to Hanauma Bay, which has many protections ranging from limited foot and vehicle traffic to a reservation system and twice weekly closure requirements, this area of the North Shore of Oahu is accessible from multiple locations along the shoreline and adjacent beach parks every day of the year. The consequences of unlimited human access to sensitive areas of the Pupukea Marine Life Conservation District include damage to marine habitats, damage to and harassment of marine life, damage to coral, disrespect for cultural norms, and increased pollution. This measure seeks to assess the carrying capacity of certain areas in the Pupukea Marine Life Conservation District and assess the effectiveness of closures and other restrictions to reduce the human impact on these environmentally sensitive areas.

Your Committees respectfully request that should your Committee on Finance choose to hear this measure, it consider appropriating \$100,000 per year for three years to the Department of Land and Natural Resources to establish and implement the Pupukea Marine Life Conservation District Carrying Capacity Pilot Program.

As affirmed by the records of votes of the members of your Committees on Water & Land and Labor & Tourism that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3330, S.D. 1, 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, 7. Noes, none. Excused, 1 (McDermott).

Labor & Tourism: Ayes, 6. Noes, none. Excused, 2 (Belatti, Okimoto).

#### **SCRep. 1304-22 Energy & Environmental Protection/Water & Land on S.B. No. 2659**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for equipment, training, and the establishment of twenty full-time equivalent positions for the Division of Conservation and Resources Enforcement.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, Mālama Pūpūkea-Waimea, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the Division of Conservation and Resources Enforcement of the Department of Land and Natural Resources has a broad mandate that includes wildlife protection, resource conservation, boating and fishing enforcement, and maritime patrols. To ensure that the Division of Conservation and Resources Enforcement is able to fulfill all aspects of its mandate in the State, this measure provides additional resources for the Division to protect, conserve, and manage Hawaii's unique natural, cultural, and historic resources.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 2100, 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. 2659, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2659, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

Water & Land: Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

#### **SCRep. 1305-22 Energy & Environmental Protection/Water & Land on S.B. No. 3019**

The purpose of this measure is to require and appropriate funds for the Department of Land and Natural Resources to seek and obtain accreditation for the Conservation and Resources Enforcement Program from the Commission on Accreditation for Law Enforcement Agencies by June 30, 2025.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and two individuals. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that in 2009, the Department of Land and Natural Resources' Division of Conservation and Resources Enforcement participated in the Commission on Accreditation for Law Enforcement Agencies' formal accreditation process. However, due to various funding and logistical challenges, it was determined that the accreditation effort was not feasible. This measure provides the appropriate funding necessary for the Department of Land and Natural Resources to participate in the accreditation process and ensure that its law enforcement officers are properly trained and are maintaining best practices.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees note that the appropriation amount in this measure to support the accreditation efforts by the Department of Land and Natural Resources should be \$1,000,000, with a recurring appropriation amount of \$750,000.

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. 3019, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3019, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

Water & Land: Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

#### **SCRep. 1306-22 Transportation on S.B. No. 3152**

The purpose of this measure is to make an emergency appropriation to the Department of Transportation for the Highways Division's Special Maintenance Program.

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

Your Committee finds that the purpose of the Highways Division's Special Maintenance Program is to address major repairs and replace critical infrastructure at the end of its service life. This measure will provide additional resources for roadway improvements, as well as further stimulate the economy with additional work projects.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$20,000,000 for fiscal year 2021-2022 for the Department of Transportation to provide funding for the Highways Division's Special Maintenance Program;
- (2) Changing the effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the 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. 3152, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3152, 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, 1 (Kitagawa).

#### **SCRep. 1307-22 Transportation on S.B. No. 2898**

The purpose of this measure is to establish transit-oriented development infrastructure improvement districts within county-designated transit-oriented development zones and a Transit-Oriented Development Infrastructure Improvement District Board to foster community development by strategically investing in infrastructure improvements.

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 and Sustainable Development. Your Committee received testimony in opposition to this measure from the Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that transit-oriented development promotes development patterns that support quality of life; preserve the natural environment; provide a range of housing choices for residents; and encourage walking, biking, and use of mass transit. However, a major barrier for transit-oriented

development is investment in infrastructure improvements such as roads, sewers, water, electrical power lines, communication networks, and storm water management systems. This measure will enable the delivery of infrastructure needed to support transit-oriented development, resulting in the delivery of social, environmental, and economic benefits.

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. 2898, 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, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1308-22 Education on S.B. No. 3280**

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist Saint Joseph School in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving its educational facilities.

Your Committee received testimony in support of this measure from the Cardinal Legacy Foundation and Saint Joseph High School. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Saint Joseph School is the only parochial school on the island of Hawaii. Your Committee further finds that enrollment at the school has increased and a number of improvements to the campus are underway. However, additional funding is necessary to help construct a multi-purpose gymnasium to replace its existing, outdated facility. This new facility will have an increased seating capacity and be designed for multipurpose use for the school and community events. Your Committee believes that the special purpose revenue bonds authorized by this measure is in the public interest and will help saint joseph school build a stronger learning environment for students and the surrounding county.

Your Committee has amended this measure by changing its effective date to July 1, 2055.

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. 3280, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3280, 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 (Kapela). Noes, none. Excused, 2 (Clark, Ohno).

#### **SCRep. 1309-22 Education on S.B. No. 2612**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a one-year reusable utensil pilot project at Department of Education schools on the island of Molokai; and
- (2) Require the Department of Education to submit interim and final reports to the Legislature on the feasibility of statewide implementation of a reusable utensil program.

Your Committee received testimony in support of this measure from Beach Environmental Awareness Campaign Hawaii and five 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 Budget and Finance.

Your Committee finds that single-use plastics are a serious threat to Hawaii's environmental and economic sustainability. Your Committee further finds that the Department of Education contributes to Hawaii's annual plastic waste through its use of single-use plastic utensils in school cafeterias. This measure establishes a pilot project for Molokai's Department of Education schools to explore the use of reusable utensils in school cafeterias to reduce single-use plastic waste in Hawaii.

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. 2612, S.D. 2, 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, 2 (Clark, Ohno).

#### **SCRep. 1310-22 Education on S.B. No. 2928**

The purpose of this measure is to establish and appropriate funds for an agricultural careers working group to study and develop an implementation plan for career pathways in the agricultural sector.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that Hawaii's future security, economic development, and sustainability depend on further development of the agricultural sector. A qualified workforce that is employed in and supports agriculture, food innovation, and natural resources is necessary to advance Hawaii's goals. Your Committee further finds that career pathways prepare young people for employment and career success through education, training, and hands-on experience. Your Committee believes that career pathways for the agricultural sector are essential to meet present and future agricultural workforce needs.

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. 2928, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2928, S.D. 3, 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, 2 (Clark, Ohno).

#### **SCRep. 1311-22 Education on S.B. No. 2182**

The purpose of this measure is to establish and fund a School Garden Coordinator position within the Department of Education's Office of Curriculum and Instructional Design to provide technical support and startup resources for schools interested in starting a school garden program.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, Hawaii Climate Change Mitigation and Adaptation Commission, Center for Getting Things Started, Hawai'i Farm Bureau, Hawai'i Farm to School Hui, Local Food Coalition, Food+ Policy Internship, Hawai'i Youth Food Council, Grow Some Good, Hawaii Food Industry Association, O'ahu Farm to School Networks, and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the increased use of learning gardens and farms on school campuses across Hawaii plays a central role in protecting student health, advancing academic achievement, and strengthening social and emotional well-being. Your Committee further finds that establishing a School Garden Coordinator position is vital to successfully implement the purpose of the Hawaii Farm to School Program, as set forth in Act 175, Session Laws of Hawaii 2021, which seeks to improve student health, develop an educated agricultural workforce, and accelerate garden and farm-based education for public school students.

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. 2182, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2182, 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, 2 (Clark, Ohno).

#### **SCRep. 1312-22 Education on S.B. No. 2818**

The purpose of this measure is to establish and fund a Summer Learning Coordinator position within the Department of Education to coordinate all school-based summer programs for children.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Public Library System, Hawai'i Afterschool Alliance, Hawai'i Children's Action Network Speaks!, CARE Arts & Recreation Education Services, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that learning loss caused by the coronavirus disease 2019 pandemic needs to be addressed by providing strong support to Hawaii's 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. Your Committee notes that the Department of Education needs additional capacity to coordinate and support efforts to accelerate learning during the summer. This measure will establish a Summer Learning Coordinator position to coordinate all school-based summer programs for children, avoid duplication of efforts, and promote the equitable provision of services.

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. 2818, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2818, 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, 2 (Clark, Ohno).

#### **SCRep. 1313-22 Education on S.B. No. 2893**

The purpose of this measure is to establish and appropriate funds for a one-year pilot program to subsidize the purchase of school supplies at schools composed entirely of students eligible for participation in Title I, Part A, of the Elementary and Secondary Education Act, as amended.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Budget and Finance.

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, 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2893, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2893, 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, 2 (Clark, Ohno).

#### **SCRep. 1314-22 Education on S.B. No. 2816**

The purpose of this measure is to:

- (1) Require the Department of Education to establish and administer the Strong Students Grant Pilot Program (Pilot Program) to provide grants for eligible education expenses to eligible students and appropriate funds for the Pilot Program; and
- (2) Require the Department of Education to submit progress reports on the Pilot Program to the Legislature.

Your Committee received testimony in support of this measure from the State Public Charter School Commission, HawaiiKidsCAN, and one individual. Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association. Your Committee received comments on this

measure from the Department of Education and Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 pandemic has been incredibly disruptive to student learning. Your Committee further finds that many residents living with at least one child under the age of eighteen have seen their combined household income decline and require financial assistance to support their child's education. This measure requires the Department of Education to establish a grant pilot program that will provide grants to eligible students for certain eligible education expenses and reduce the financial burden families have in supporting their children.

Your Committee has amended this measure by:

- (1) Specifying that grant funds under the Pilot Program shall not be used for private school expenses;
- (2) Changing its effective date to July 1, 2051; 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 Education that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2816, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2816, 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 (Kapela). Noes, none. Excused, 2 (Clark, Ohno).

#### **SCRep. 1315-22 Education on S.B. No. 2862**

The purpose of this measure is to appropriate funds to the Department of Education for the installation of air conditioning in certain public school classrooms.

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 one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that hot classroom temperatures in the State's public schools can adversely affect students by making them drowsy, irritable, and unmotivated. Additionally, studies show that while classroom temperatures over eighty degrees can negatively impact student achievement, temperatures in Hawaii's classrooms are regularly recorded at over one hundred degrees during certain periods of the school year.

Your Committee further finds that through Act 47, Session Laws of Hawaii 2016, the Legislature appropriated \$100,000,000 for the Department of Education's heat abatement program. While the appropriation successfully funded heat abatement upgrades for over 1,300 public school classrooms, over 5,000 classrooms still require heat abatement improvements. This measure will appropriate funds for the installation of air conditioning in those classrooms that still require heat abatement improvements.

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. 2862, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2862, 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, 2 (Clark, Ohno).

#### **SCRep. 1316-22 Education on S.B. No. 3096**

The purpose of this measure is to authorize the issuance of general obligation bonds to make an emergency appropriation for the Department of Education to build an agriculture innovation center.

Your Committee received testimony in support of this measure from the Department of Education; one member of the Kauai County Council; Hawaii Climate Change Mitigation and Adaptation Commission; Waimea High School; Kekaha Elementary School; Elele Elementary School; Kalaheo Elementary School; Koloa Elementary School; King Kaumualii Elementary School; Kilauea School; Kamehameha Schools; Kauai Community College; Education Incubator; Iwikua; Kumano i Ke Ala; Hawaii Crop Improvement Association; Hawaii Cattlemen's Council, Inc.; and Hawai'i Farm Bureau. Your Committee received testimony in support of the intent of this measure from the Department of Agriculture.

Your Committee finds that having agricultural programs available to students will promote the consumption of local food and healthy eating habits. Your Committee further finds that proper facilities are vital to increase the amount of locally grown food served in public schools. This measure will provide the funding necessary for an agriculture innovation center to grow food locally and provide agricultural opportunities statewide and internationally.

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. 3096, 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. 3096, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Belatti, Takayama). Noes, none. Excused, 2 (Clark, Ohno).

#### **SCRep. 1317-22 Education/Economic Development on S.B. No. 3190**

The purpose of this measure is to require and appropriate funds to the Department of Education to establish a native hatchery fish pilot program at Waianae High School.

Your Committees received testimony in support of this measure from the Department of Education, Department of Land and Natural Resources, Mālama Pūpūkea-Waimea, Environmental Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that loko ia, or traditional fishponds, offer a critical opportunity for realizing the promise of Hawaii's sustainable future, as they represent a unique nexus of environmental, cultural, social, and economic benefits. Your Committees further find that the marine science learning center at Waianae High School currently has a functioning aquaculture facility with a saltwater well that has been the central focus of the science curriculum delivered to students over the past twenty-five years. Your Committees believe that Waianae High School is capable of hosting a fish hatchery pilot program to further

the development of hatcheries for fishpond production in the State and provide training and certification pathways for aquaculture technicians and operators at fishponds.

Your Committees have amended this measure by:

- (1) Changing its 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 records of votes of the members of your Committees on Education and Economic Development that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3190, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3190, S.D. 2, 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, 3 (Clark, Ganaden, Gates).

Economic Development: Ayes, 7. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1318-22 Education/Higher Education & Technology on S.B. No. 2142**

The purpose of this measure is to:

- (1) Require the Department of Education to allow students to fulfill certain graduation requirement courses with computer science courses;
- (2) Require the University of Hawaii to accept substituted computer science courses as part of their admission requirements;
- (3) Establish and appropriate funds for a Computer Science in Teaching Scholarship Program;
- (4) Require the University of Hawaii to develop pathways in computer science for students studying to obtain a degree in education; and
- (5) Require teacher licensing and certification requirements to include instruction in computer science.

Your Committees received testimony in support of this measure from the State Public Charter School Commission, Code.org, HawaiiKidsCAN, Hawaii State Teachers Association, Broadband Hui, and four individuals. Your Committees received testimony in support of the intent of this measure from the Department of Education and University of Hawai'i at Manoa College of Education. Your Committees received testimony in opposition to this measure from the Hawai'i Arts Alliance. Your Committees received comments on this measure from the Department of Budget and Finance and Board of Education.

Your Committees find that computer science skills are foundational to quality academic and career success and that the State must ensure that students have equitable access to computer science courses and credits. Your Committees further find that this measure will promote education and career success by encouraging high school students to learn computer science, providing incentives for future teachers to study computer science, and requiring that certified and licensed teachers receive instruction in computer science.

Your Committees have amended this measure by:

- (1) Including, beginning with the 2023-2024 school year, computer science in the list of programs of study through which a student can earn two credits to meet the high school diploma requirement;
- (2) Clarifying that in addition to accepting high school courses in world language, fine arts, and career and technical education, the University of Hawaii shall accept computer science courses as part of their admission requirements;
- (3) Clarifying that the Computer Science in Teaching Scholarship Program shall award scholarships to students that are earning a degree in teaching and also want to take computer science classes;
- (4) Requiring the University of Hawaii to submit pathway programs to the Hawaii Teacher Standards Board for computer science licensure approval to provide the opportunity for students completing the pathway to be eligible to add a computer science license to an elementary or secondary teaching license or to acquire an initial teaching license in computer science;
- (5) Changing its effective date to July 1, 2051; 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 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. 2142, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2142, 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, 2 (Ohno, Quinlan).

Higher Education & Technology: Ayes, 11. Noes, none. Excused, 2 (Ohno, Quinlan).

#### **SCRep. 1319-22 Education/Water & Land on S.B. No. 2186**

The purpose of this measure is to:

- (1) Direct the conveyance of certain lands used for public schools and owned by the counties of Kauai and Maui, the State, and the Department of Land and Natural Resources to the Department of Education;
- (2) Require legislative approval prior to the sale, gift, or alienation of the fee simple title to lands owned by the Department of Education; and
- (3) Appropriate funds to the Department of Education to effectuate the transfer of the lands and to effectively manage the real property.

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 Land and Natural Resources and Department of Budget and Finance.

Your Committees find that the Department of Education has invested significant public funds on maintenance and capital improvement projects for new school facilities. The expenditure of these funds was done without regard to the underlying fee ownership of the real property.

Your Committees further find that non-unified ownership of the land under existing Department of Education schools and offices complicates redevelopment, especially when private investment is involved. Your Committees believe that consolidating the ownership of all land under existing public schools to be held by the Department of Education will provide the Department with the requisite flexibility to redevelop, reposition, and improve its assets in a timely and efficient manner.

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 Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2186, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2186, S.D. 2, 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, 3 (Ohno, Yamane, Okimoto).

Water & Land: Ayes, 5. Noes, none. Excused, 3 (Kong, Ohno, McDermott).

#### **SCRep. 1320-22 Education on S.B. No. 2180**

The purpose of this measure is to:

- (1) Require the Governor to nominate members for reappointment to the Board of Education at least one hundred fifty days prior to the expiration of the member's term;
- (2) Require the Senate to consider the reconfirmation of the Board of Education member at least sixty days prior to the member's term expires;
- (3) Clarify that Board of Education members shall not serve as holdover Board members beyond the end of the first Regular Session of the Legislature following the expiration of the member's term unless duly appointed by the Governor and confirmed by the Senate;
- (4) Immediately disqualify from service any holdover Board of Education member whose nomination is withdrawn by the Governor prior to the holdover member's confirmation by the Senate; and
- (5) Require the Governor to annually submit to the Senate a list of names of any vacancies filled by interim appointment, the number of any vacancies filled by interim appointment, and the number of vacancies on the Board of Education.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that this measure will improve the existing nomination, appointment, and confirmation process for Board of Education members and promote the efficient operation of the Board.

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. 2180, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2180, 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, 3 (Clark, Quinlan, Yamane).

#### **SCRep. 1321-22 Education on S.B. No. 2214**

The purpose of this measure is to:

- (1) Require the Board of Education, through the State Librarian, to establish a Digital Literacy Program for public libraries in the State to promote digital literacy through programmatic activities, including making digital technology accessible to individuals with disabilities; and
- (2) Appropriate funds for the establishment and administration of the Digital Literacy Program, including to fund one full-time equivalent position within the Hawaii State Public Library System to administer the Program.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Public Library System; Department of Research and Development Management of the County of Hawaii; Chamber of Commerce Hawaii; Hawai'i Pacific Health; Pa'akai Communications; Transform Hawaii Government; LearningBond; Kauai Economic Development Board; Skog Rasmussen LLC; Banyan Networks; Auamo Collaborative; Kamehameha Schools; O'ahu County Democrats Digital Equity Committee; Tangent Inc.; Maui Chamber of Commerce; W. M. Keck Observatory; Succeed Hawaii, LLC; 'A'ali'i Alliance; Economic Development Alliance of Hawaii; and nine individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that digital literacy skills are crucial for career success in the twenty-first century. Your Committee notes that while digitization offers advantages to digitally literate individuals, it also increases barriers for members of the public who lack digital skills. Your Committee further finds that the establishment of a digital literacy program within the public library system will increase digital literacy among members of the public and raise their competitiveness in an economy defined by the ability to use digital tools.

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. 2214, 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, 12. Noes, none. Excused, 1 (Ohno).

#### **SCRep. 1322-22 Judiciary & Hawaiian Affairs on S.B. No. 3324**

The purpose of this measure is to:

- (1) Establish a working group to examine and address the problem of infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory homeowner associations; and
- (2) Appropriate funds for the working group, subject to the availability of matching county funds.

Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that there is a lack of guidance on the rights and responsibilities of homeowners regarding housing subdivision infrastructure repair

and maintenance in planned housing subdivisions that do not have compulsory homeowners or community associations. Your Committee also finds that these homeowners need a mechanism whereby they can organize an association to collect any fees required to repair and maintain infrastructure that abuts their property. This measure will create a working group to determine how to address this problem.

Your Committee has amended this measure by:

- (1) Clarifying that representation from the Hawaii Council of Community Associations and Hawaii Chapter of the Community Associations Institute shall be limited to one member 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3324, 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. 3324, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1323-22 Judiciary & Hawaiian Affairs on S.B. No. 3294**

The purpose of this measure is to appropriate funding for reentry planning circles for incarcerated women.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Women's Prison Project, American Civil Liberties Union of Hawai'i, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Public Safety.

Your Committee finds that reentry planning circles provide an opportunity for incarcerated individuals to make meaningful amends, set goals, and plan for the future. A reentry planning circle is part of the transition planning process to help incarcerated individuals prepare to leave prison. Your Committee finds that incarcerated individuals who participate in reentry planning circles before leaving prison have significantly lower recidivism rates.

As 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. 3294, 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. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1324-22 Judiciary & Hawaiian Affairs on S.B. No. 2770**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Office of Hawaiian Affairs, to create a rehabilitation program for Native Hawaiian prison inmates that puts an emphasis on preserving Native Hawaiian values and cultural practices; and
- (2) Appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Office of Hawaiian Affairs, Community Alliance on Prisons, Women's Prison Project, Opportunity Youth Action Hui, American Civil Liberties Union of Hawai'i, 'Ekolu Mea Nui, and four 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 Budget and Finance and Papa Ola Lōkahi.

Your Committee finds that rehabilitation programs have traditionally been based on western models that may not have any relevance or foundation to prison inmates' identity, cultural beliefs, and worldview. Establishing a rehabilitation program that specifically emphasizes Native Hawaiian values and cultural practices may help the disproportionately represented Native Hawaiian inmate population feel less disenfranchised and support their reintegration into society upon release.

As 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. 2770, 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, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1325-22 Judiciary & Hawaiian Affairs on S.B. No. 2771**

The purpose of this measure is to:

- (1) Require the Department of Public Safety Intake Service Centers to conduct internal pretrial female risk and needs assessments on adult female offenders to measure the female offender's risk of flight, criminal conduct, or harm to the community, subject to certain conditions; and
- (2) Require the pretrial female risk and needs assessment tool to consider factors important to evaluate a female offender's risk of reoffending.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii Substance Abuse Coalition, Women's Prison Project, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that a female offender's pathways to crime and risk factors for recidivism are often different than those of male offenders and specialized tools are needed to adequately identify these pathways and risks. This measure supports the use of a pretrial gender-responsive risk and needs assessment tool, which is critical in evaluating a female offender's risk of recidivism and other specialized treatment needs.

Your Committee respectfully requests your Committee on Finance, should it choose to deliberate on this measure, to consider appropriating \$40,000 for a quantitative study on candidate female risk and needs assessment tools.

As 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. 2771, 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, none. Excused, 1 (D. Kobayashi).



**SCRep. 1326-22 Judiciary & Hawaiian Affairs on S.B. No. 2641**

The purpose of this measure is to appropriate funds for residential programs that allow minor children to remain with their mothers while participating in the program, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, to reduce the risk of trauma and multigenerational incarceration.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Women's Prison Project, American Civil Liberties Union of Hawai'i, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Public Safety.

Your Committee finds that as of 2018, seventy-five percent of incarcerated women in the State had children. Studies have shown that when women in the criminal justice system are separated from their children, the experience has devastating impacts on the children's mental health and development and can increase the risk of multigenerational incarceration. Furthermore, the separation has a traumatic effect on mothers. Your Committee believes that funding residential programs that allow minor children to remain with their mothers while participating in the program will help to reduce the risk of trauma and multigenerational incarceration.

As 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. 2641, 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. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1327-22 Judiciary & Hawaiian Affairs on S.B. No. 3195**

The purpose of this measure is to appropriate funds to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Energy Office, Sustainable Energy Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that one of the five objectives of the Department of Hawaiian Home Lands' Energy Policy is to facilitate the use of diverse renewable energy resources. Specific activities noted in the policy include identifying properties in the Department of Hawaiian Home Lands' land inventory that have potential for renewable energy projects and pursuing the leasing of those lands. Your Committee finds that investigation, exploration, and identification of geothermal resources on Hawaiian home lands are necessary to realize the harnessing of geothermal energy as a clean, renewable energy source 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 S.B. No. 3195, S.D. 2, 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 (D. Kobayashi).

**SCRep. 1328-22 Judiciary & Hawaiian Affairs on S.B. No. 2639**

The purpose of this measure is to require:

- (1) The Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of female offenders; and
- (2) The Department of Public Safety to submit a report to the Legislature on the Offender Reentry Office's compliance with the risk needs assessment tool requirement.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of Hawaiian Affairs, Hawaii Substance Abuse Coalition, Women's Prison Project, and one individual.

Your Committee finds that women's pathways to crime are often different than those of men and further tools are needed to adequately identify women's pathways to incarceration. This measure supports the development and implementation of a validated gender responsive risk and needs assessment tool, which is critical for an effective transition plan that would reduce recidivism and result in healthier families and safer communities.

Your Committee has amended this measure by:

- (1) Changing the term "female offenders" to "women offenders" as that term is more inclusive; and
- (2) Making technical, 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. 2639, 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. 2639, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1329-22 Judiciary & Hawaiian Affairs on S.B. No. 3085**

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces; and
- (2) Repeal the existing Hawaii Code of Military Justice, which was originally enacted in 1982.

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

Your Committee finds that the existing Hawaii Code of Military Justice lacks the necessary disciplinary options to provide for effective and efficient good order and discipline in the state military forces. This measure brings the state military justice process in line with the Uniform Code of Military Justice, updates the procedures and punitive sections of military justice within the state military forces, provides a comprehensive law setting forth military judicial procedures, and provides for the right of appeal through a civilian court process.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2222, 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. 3085, 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. 3085, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1330-22 Judiciary & Hawaiian Affairs on S.B. No. 2567**

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 an interactive digital database software program of its applicant, beneficiary, and lessee records, which must contain relevant information on each individual's homestead lease application status, number of applications, address, number of denied leases, designated successors, and history of obtaining leases as an applicant or as a successor, as well as other relevant information as determined by the Hawaiian Homes Commission, by July 1, 2023.

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 and Department of Budget and Finance.

Your Committee finds that the compilation of applicant and other relevant information into a single interactive database will increase efficiency within the Department of Hawaiian Home Lands and reduce the potential for lease award abuses.

Your Committee has amended this measure by:

- (1) Changing its effective date to January 1, 2222, 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. 2567, 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. 2567, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1331-22 Judiciary & Hawaiian Affairs on S.B. No. 2480**

The purpose of this measure is to:

- (1) Authorize the Department of Agriculture, Department of Land and Natural Resources, and Agribusiness Development Corporation to acquire the Wahiawa irrigation system, on terms negotiated and agreed upon by the Office of the Governor, and to purchase, repair, and maintain the associated spillway; and
- (2) Appropriate funds for:
  - (A) The Department of Agriculture to repair and expand the spillway associated with the Wahiawa irrigation system and bring the spillway into compliance with relevant dam safety requirements;
  - (B) The Department of Agriculture to acquire a fee simple interest in the spillway associated with the Wahiawa irrigation system; and
  - (C) The Agribusiness Development Corporation and Department of Land and Natural Resources to manage and maintain their respective acquired portions of the Wahiawa irrigation system.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Dole Food Company Hawaii, Hawaii Crop Improvement Association, Ulupono Initiative, and Hawai'i Farm Bureau. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and Department of Land and Natural Resources.

Your Committee finds that the Wahiawa irrigation system is a complex system that serves numerous purposes that have evolved over time. Currently, the system continues to provide irrigation to farmers on a significantly reduced scale while serving more as a venue for recreational activities, public safety resource, and public infrastructure asset. The Department of Land and Natural Resources maintains conservation and recreational interests associated with the system, while the Agribusiness Development Corporation is acquiring a portion of the irrigation ditch system that serves nearby agricultural lands under its management. Your Committee finds that it is in the public interest for the State to acquire the Wahiawa irrigation system and preserve it for public access and the agriculture industry.

Your Committee notes that according to testimony received by your Committee on Agriculture on this measure, there are additional properties that may be affected that are not currently included in this measure. Your Committee, therefore, requests that these additional properties be considered as this measure proceeds through the legislative process.

Your Committee further notes Dole Food Company testified that it is prepared to gift the Wahiawa irrigation system to the State in exchange for delivery of a maximum of six million gallons per day of irrigation water at no cost. Your Committee believes this negotiation merits further discussion in order to reach a deal that best benefits the residents of 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2480, 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. 2480, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti, McKelvey, Nakamura). Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1332-22 Judiciary & Hawaiian Affairs on S.B. No. 1347**

The purpose of this measure is to authorize the Department of Education to offer training to teachers and school staff on sex trafficking prevention and response.

Your Committee received testimony in support of this measure from the Department of Human Services, Hawai'i State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Youth Services Network, Hawaii State Teachers Association, Hawai'i Association of School Psychologists, Education Caucus of the Democratic Party of Hawaii, Imua Alliance, AF3IRM Hawaii, and ten individuals. Your Committee received comments on this measure from the Department of Education, Hawaii Children's Action Network Speaks!, and Harm Reduction Hawaii.

Your Committee finds that sexual exploitation of children and youth is a serious problem throughout the United States and worldwide. One of the ways to effectively combat this problem is through prevention education and raising awareness to help lower the incidence of sex trafficking. Your Committee also finds that equipping teachers and school staff with training on sex trafficking prevention and response will provide the support that is necessary to assist students in Hawaii's public school students from sexual exploitation.

Your Committee has amended this measure by:

- (1) Requiring, rather than authorizing, the Department of Education to offer training to teachers and school staff on how to prevent and respond to potential cases of sex trafficking; and
- (2) Making technical, 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. 1347, 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. 1347, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1333-22 Judiciary & Hawaiian Affairs on S.B. No. 2637**

The purpose of this measure is to:

- (1) Mandate that there be a community-based work furlough program for female offenders in the State; and
- (2) Appropriate funds to the Department of Public Safety to continue and expand community-based work furlough for women.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Hawai'i State Commission on the Status of Women, Hawai'i Women Lawyers, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Women's Prison Project, American Civil Liberties Union of Hawai'i, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that since 2015, the Department of Public Safety has contracted with a local nonprofit organization to place women from the Women's Community Correctional Center on Oahu in a residential program that provides wraparound services to assist them as they reenter society and rebuild their lives. The residential program's job readiness and job retention programs enable women to return to the workforce, keeping eighty-four percent of participants out of prison and providing them with the opportunity to participate in and access transitional training. This measure ensures the continuation and expansion of the community-based work furlough program for incarcerated women in the State.

Your Committee has amended this measure by:

- (1) Updating references of "female" offenders to "women" offenders as it is more inclusive; and
- (2) Making technical, 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. 2637, 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. 2637, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1334-22 Judiciary & Hawaiian Affairs on S.B. No. 2397**

The purpose of this measure is to:

- (1) Require certain individuals who wish to act or continue acting as a child custody evaluator to complete a training course on domestic violence issues every three years; and
- (2) Establish requirements for the training course and submitting or providing proof of completion.

Your Committee received testimony in support of this measure from the Hawai'i State Coalition Against Domestic Violence, Domestic Violence Action Center, Women's Caucus of the Democratic Party of Hawai'i, Parents and Children Together, and two individuals. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that the family court may appoint a child custody evaluator from a list of qualified individuals to investigate a child custody dispute. Child custody evaluators typically provide written reports to the court, and sometimes testify at hearings or at trials. Your Committee further finds that child custody evaluators, who work before the family court, have an impact on the safety and well-being of children and families and therefore need to understand the dynamics of domestic violence. This measure requires child custody evaluators to complete a training course on domestic violence issues to equip them with relevant knowledge about domestic violence issues to serve in the best interests of the children.

Your Committee has amended this measure by:

- (1) Deleting the requirement that the domestic violence program providing the training course be nationally accredited; and
- (2) Making technical, 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. 2397, 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. 2397, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1335-22 Judiciary & Hawaiian Affairs on S.B. No. 3046**

The purpose of this measure is to make an emergency appropriation to the Department of the Attorney General for use in major litigation involving the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Department of the Attorney General is statutorily tasked with representing the State in all civil matters in which the State is a party. Your Committee further finds that the Department must retain expert witnesses and specialized legal counsel to vigorously defend several ongoing civil litigations. This measure will ensure that the Department has the necessary funds to carry out its statutory duty to defend the State in all civil matters.

Your Committee has amended this measure by:

- (1) Extending the lapsing date of the appropriation to June 30, 2023; 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 consider appropriating \$4,000,000 for fiscal year 2021-2022 to be used by the Department of the Attorney General in major litigation involving 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. 3046, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3046, 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, 3 (D. Kobayashi, Lowen, Tokioka).

**SCRep. 1336-22 Judiciary & Hawaiian Affairs on S.B. No. 2481**

The purpose of this measure is to establish a Youth Crisis Center Branch, to be headed by the Youth Crisis Center Branch Administrator, within the Office of Youth Services.

Your Committee received testimony in support of this measure from the Office of the Public Defender, Hawaii Youth Services Network, and Opportunity Youth Action Hui. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Human Services, Office of Youth Services, and Governor's Coordinator on Homelessness.

Your Committee finds that the establishment of a framework of institutionalized youth crisis centers is essential to servicing youth at-risk or in crisis. Youth crisis centers are necessary to provide emergency shelter and crisis intervention services to Hawaii's most vulnerable youth. The establishment of a Youth Crisis Center Branch as provided by this measure will ensure that these youth have access to the services and temporary shelter they need.

Your Committee has amended this measure by 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 appropriating funds for additional staff and resources to the Office of Youth Services to accomplish the objectives of this measure.

As 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. 2481, 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. 2481, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1337-22 Judiciary & Hawaiian Affairs on S.B. No. 3295**

The purpose of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission to:
  - (A) Provide oversight over state correctional facilities and community correctional centers that incarcerate women;
  - (B) Receive and investigate complaints from incarcerated women;
  - (C) Monitor the criminal justice system's progress in implementing reforms; and
  - (D) Provide oversight over other programs and monitor and review data that is important to ensuring successful outcomes for women in the correctional system;
- (2) Require annual reports to the Legislature; and
- (3) Appropriate funds for the Women's Corrections Implementation Commission's operations, including the hiring of necessary staff.

Your Committee received testimony in support of this measure from the Women's Prison Project and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Public Safety, and one individual.

Your Committee finds that many aspects of the State's criminal justice system are not designed to meet the needs of women who have different needs and experience different barriers to success than men. This measure will establish a commission with oversight responsibilities that are focused on women-specific issues to improve successful outcomes for women in the correctional system.

Your Committee has amended this measure by:

- (1) Changing the expending agency for the appropriation to fund the Women's Corrections Implementation Commission's operations, including the hiring of necessary staff, from the Commission to the Judiciary; and
- (2) Making technical, 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. 3295, 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. 3295, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1338-22 Judiciary & Hawaiian Affairs on S.B. No. 3357**

The purpose of this measure is to require certain departments and agencies to provide grants to tax-exempt nonprofit organizations that have experience and expertise in providing assistance and support to Native Hawaiian communities.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority and Council for Native Hawaiian Advancement. 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 Business, Economic Development, and Tourism; Department of Budget and Finance; Department of Land and Natural Resources; Department of Agriculture; and Office of Community Services.

Your Committee finds that this measure supports Native Hawaiian communities and culture by tailoring assistance programs to benefit these communities, while capitalizing on organizations with at least several years of experience providing assistance and support to these communities.

Your Committee further finds that the companion to this measure, H.B. No. 2499, H.D. 1 (Regular Session of 2022), was previously passed by your Committee.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2499, H.D. 1, which provides specific appropriation amounts and takes effect on July 1, 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 is in accord with the intent and purpose of S.B. No. 3357, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3357, 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, 1 (D. Kobayashi).

**SCRep. 1339-22 Judiciary & Hawaiian Affairs on S.B. No. 2021**

The purpose of this measure is to:

- (1) Establish twenty percent of the net receipts from the public land trust, or \$15,100,000, whichever is greater, as the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust beginning in fiscal year 2022-2023;
- (2) Require departments, agencies, or entities that collect receipts from public land trust lands, including the University of Hawaii, to determine and transfer to the Office of Hawaiian Affairs that portion of their receipts from the use, sale, lease, or other disposition of lands within the public land trust to ensure that a total of \$3,775,000 of receipts generated by the public land trust is transferred to the Office of Hawaiian Affairs within thirty days of the close of each fiscal quarter, beginning in fiscal year 2022-2023;
- (3) Require departments to transfer an unspecified amount from their receipts from the use, sale, or exchange of lands within the public land trust collected during fiscal year 2022-2023 to the Office of Hawaiian Affairs;
- (4) Require the Director of Finance or the Director's designee to:
  - (A) Determine the total amount of receipts transferred by any department or agency that collects receipts from the lands within the public land trust to the Office of Hawaiian Affairs during the immediately prior fiscal quarter; and
  - (B) If the total amount of receipts transferred to the Office of Hawaiian Affairs is less than \$3,775,000 in the immediately prior fiscal quarter, to make up the difference between \$3,775,000 and the amount of receipts transferred in the immediately prior fiscal quarter by establishing the additional amount of receipts that each agency must transfer to the Office of Hawaiian Affairs; and
- (5) Transfer to the Office of Hawaiian Affairs the balance of funds contained in the Carry-Forward Trust Holding Account established by the Director of Finance, pursuant to Governor's Executive Order No. 06-06, for income and proceeds due from the use of the public land trust lands between July 1, 2012, and June 30, 2022, that was misallocated, underreported, or underpaid to the Office of Hawaiian Affairs.

Your Committee received testimony in support of this measure from the Hawaiian Affairs Caucus of the Democratic Party of Hawai'i and one individual. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Center for Hawaiian Sovereignty Studies, and one individual. Your Committee received comments on this measure from the Office of Hawaiian Affairs, Department of the Attorney General, Department of Agriculture, Department of Budget and Finance, University of Hawai'i, and Hawaii Health Systems Corporation.

Your Committee finds that it is incumbent upon the Legislature to uphold its trust responsibilities and duty of care to native Hawaiians pursuant to the Hawaii State Constitution. This measure will ensure that the State fulfills its constitutional obligations by establishing and providing for the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust.

Your Committee has amended this measure by:

- (1) Clarifying that the Office of Hawaiian Affairs' annual share of the net receipts from the public land trust does not include monies precluded by federal law;
- (2) Clarifying the type of receipts and amount of monies that departments, agencies, or entities that collect receipts from public land trust lands are required to transfer to the Office of Hawaiian Affairs;
- (3) Changing the appropriation out of the Carry-Forward Trust Holding Account to an unspecified amount to pay the Office of Hawaiian Affairs amounts received from the public land trust between July 1, 2012, through June 30, 2022; 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. 2021, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2021, 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 (D. Kobayashi).

**SCRep. 1340-22 Judiciary & Hawaiian Affairs on S.B. No. 1411**

The purpose of this measure is to:

- (1) Define "pre-contact historic property";

- (2) Clarify that the Historic Preservation Program includes providing consultation to counties and public and private agencies involved in historic preservation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board; and
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements and make landowners or developers responsible for projects where violations are found liable for costs associated with mitigation or preservation measures.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawaii State Aha Moku, and one individual. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology. Your Committee received comments on this measure from the Department of Land and Natural Resources and Historic Hawai'i Foundation.

Your Committee finds that Hawaii's historic preservation laws were enacted to ensure that invaluable historic sites and archaeological resources are given appropriate consideration when they may be impacted by development activities. The existing penalties for violations of the historic preservation laws are far less than the costs of complying with historic preservation review and protecting potential historic property, such as iwi and burial sites. This measure serves to increase compliance with historic property laws and act as a deterrent to violations.

Your Committee has amended this measure by:

- (1) Changing a reference from "pre-contact sites and monuments" to "pre-contact historic 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. 1411, 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. 1411, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti). Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1341-22 Judiciary & Hawaiian Affairs on S.B. No. 3282**

The purpose of this measure is to:

- (1) Authorize the Comptroller to mandate the transfer of governmental records to the State Records Center and the time period at which the records should be transferred; and
- (2) Appropriate funds to the Office of Enterprise Technology Services for operating costs and equipment to administer the State Records Center and for positions within the State Archives to assist agencies in the identification and transfer of certain government records to the State Archives.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that certain records are required by law to be maintained by state departments and agencies for a certain period of time. However, there is a lack of understanding amongst state employees regarding which records schedules should be implemented with their records to meet the mandated maintenance period. This measure enables the Comptroller to assist state agencies by providing clear, uniform instructions as to when non-permanent records should be sent to the State Records Center for storage and eventual destruction, and when permanent records should be transferred to the State Archives for long-term preservation and public access.

Your Committee has amended this measure by:

- (1) Limiting the Comptroller's authority over governmental records to those established after statehood; and
- (2) Making technical, 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. 3282, 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. 3282, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1342-22 Judiciary & Hawaiian Affairs on S.B. No. 879**

The purpose of this measure is to require the counties to provide for the maintenance of infrastructure for any housing development for the Department of Hawaiian Home Lands within sixty days and under certain conditions.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the Department of Hawaiian Home Lands often continues to have the responsibility to maintain infrastructure despite the Department's compliance with county requirements. Your Committee further finds that the counties are uniquely positioned to operate, improve, repair, and maintain infrastructure. Therefore, transferring the responsibility to the counties to maintain the infrastructure, under specified conditions, for any housing development of the Department of Hawaiian Home Lands will enable the Department to use its resources to develop homestead lots to meet the needs of beneficiaries and better focus its efforts on attending to the maintenance and repairs of existing infrastructure under its authority.

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. 879, 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. 879, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1343-22 Judiciary & Hawaiian Affairs on S.B. No. 3329**

The purpose of this measure is to repeal chapter 634F, Hawaii Revised Statutes, the Citizen Participation in Government Act, and enact the Hawaii Public Expression Protection Act in its place.

Your Committee received testimony in support of this measure from the Commission to Promote Uniform State Laws, Common Cause Hawaii, League of Women Voters of Hawaii, Unite Here! Local 5 Hawaii, Kua'āina Ulu 'Auamo, American Civil Liberties Union of Hawai'i, Climate Protectors Hawai'i, Mālama Pūpūkea-Waimea, Uniform Law Commission, Hawaii Association for Justice, Hawaii's Thousand Friends, and two individuals.

Your Committee finds that Hawaii's Citizen Participation in Government Act was intended to protect and encourage citizen participation in government to the maximum extent possible by establishing a process for the speedy adjudication of strategic lawsuits against public participation, also known as SLAPP suits. However, due to narrow and confusing provisions under the Act, courts often decline to apply its procedural protections.

Your Committee further finds that this measure modernizes Hawaii's anti-SLAPP laws by adopting the Uniform Public Expression Protection Act, which establishes procedural protections for all parties and clearer instructions for courts to fairly and expeditiously dispose of SLAPP claims.

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. 3329, 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. 3329, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1344-22 Judiciary & Hawaiian Affairs on S.B. No. 3077**

The purpose of this measure is to align the regulatory structure for the practices of barbering and cosmetology by consolidating the existing statutory framework under a new chapter and to:

- (1) Update definitions and other provisions to accommodate the needs of the industries and the public;
- (2) Increase penalties and fine amounts for unlicensed activity and license violations; and
- (3) Remove the medical clearance requirement for licensees.

Your Committee received testimony in support of this measure from the Board of Barbering and Cosmetology.

Your Committee finds that the inconsistencies in the separate statutory chapters that regulate barbering and cosmetology add undue complexity. This measure will consolidate and align the regulatory scheme for the two professions to clarify licensure requirements and address the evolving concerns and needs of the industries.

Your Committee has amended this measure by:

- (1) Clarifying that a barber school must be licensed by the Department of Education;
- (2) Clarifying that licenses and permits must be conspicuously displayed in the barber, beauty operator, beauty instructor, barber shop, beauty shop, beauty school, barber apprentice, beauty apprentice, or temporary permittee's office, place of business or employment, or school, as applicable, rather than specifically in a barber shop, beauty shop, or beauty school; 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. 3077, 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. 3077, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1345-22 Judiciary & Hawaiian Affairs on S.B. No. 2752**

The purpose of this measure is to:

- (1) Establish an income tax credit for taxpayers who are required to seal abandoned wells on their real property;
- (2) Clarify the definition of the term "abandoned well";
- (3) Require an owner of an abandoned well to:
  - (A) Repair or seal the well at the owner's expense; and
  - (B) Notify the Commission on Water Resource Management of a transfer of ownership of the real property before entering escrow; and
- (4) Appropriate funds for three full-time equivalent (3.0 FTE) positions under the Commission on Water Resource Management.

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 Taxation, Department of Budget and Finance, and Hawai'i Association of REALTORS.

Your Committee finds that abandoned wells that are not properly sealed can pose a threat to ground water by providing a direct conduit for pollution or contamination to be introduced into an aquifer. This measure establishes a state tax credit to help reimburse qualified compliance costs for owners who are required to seal abandoned wells on their real property.

Your Committee has amended this measure by:

- (1) Requiring, rather than allowing, the Director of Taxation to adopt rules to effectuate the well abandonment compliance income tax credit;
- (2) Requiring an owner of real property that includes an abandoned well to notify the Commission on Water Resource Management of a transfer of ownership of the real property upon opening of escrow and only when the presence or existence of the abandoned well is:
  - (A) Within the knowledge of the owner; or
  - (B) Visible from an accessible area; 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. 2752, 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. 2752, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti). Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1346-22 Judiciary & Hawaiian Affairs on S.B. No. 2764**

The purpose of this measure is to expand exclusions from the definition of "development" as it applies to special management areas to reduce the need for special management area permits for certain activities.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, Office of Planning and Sustainable Development, Department of Planning and Permitting of the City and County of Honolulu, Department of Planning of the County of Maui, and Hawai'i State Association of Counties.

Your Committee finds that this measure will streamline special management area permitting procedures and reduce costs for certain activities that do not have adverse environmental impacts on the special management area.

Your Committee has amended this measure by:

- (1) Reducing, from seven thousand five hundred to five thousand square feet, the floor area of certain single-family residences whose construction or reconstruction is not deemed 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 S.B. No. 2764, 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. 2764, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1347-22 Judiciary & Hawaiian Affairs on S.B. No. 2251**

The purpose of this measure is to:

- (1) Authorize the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects; and
- (2) Prohibit the development or construction of such housing projects on ceded land that is vacant on or after January 1, 2022.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS and one individual. Your Committee received testimony in opposition to this measure from the Office of Hawaiian Affairs and Hawai'i Alliance for Progressive Action. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, and Hawaii Public Housing Authority.

Your Committee finds that the Hawaii Public Housing Authority has indicated that concentrating public housing for extremely low-income families in dense urban areas has not shown to be an effective use of scarce affordable housing resources. Instead, a shift has been made to create financially viable and socially stable mixed-income housing by the United States Department of Housing and Urban Development. According to the Hawaii Public Housing Authority, the mixed-income and mixed-finance redevelopment model is a proven and successful redevelopment model nationwide and is supported and encouraged by the federal government, which provides the Authority with over eighty-seven percent of its total yearly funding to house its most disadvantaged populations.

Your Committee has amended this measure by:

- (1) Deleting certain references to "public" within chapter 365D, Hawaii Revised Statutes, relating to the Hawaii Public Housing Authority, that were added 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2251, 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. 2251, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (McKelvey, Ward). Noes, 1 (D. Kobayashi). Excused, 1 (Tokioka).

#### **SCRep. 1348-22 Judiciary & Hawaiian Affairs on S.B. No. 2583**

The purpose of this measure is to exempt non-ceded lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation from classification as public lands subject to Department of Land and Natural Resources management.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that this measure will help streamline the development of affordable housing on state land 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.

As 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. 2583, S.D. 2, 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 (Ward). Noes, none. Excused, 1 (Tokioka).

#### **SCRep. 1349-22 Judiciary & Hawaiian Affairs on S.B. No. 2679**

The purpose of this measure is to extend the renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age.

Your Committee received testimony in support of this measure from the Department of Transportation, AARP Hawai'i, and nine individuals.

Your Committee finds that many individuals over seventy years of age are physically fit and mentally capable of performing a wide range of activities, including driving. Your Committee further finds that the Department of Transportation has not found any local data to indicate drivers aged seventy or older are at higher risk of causing or being involved in crashes. Therefore, your Committee believes that the current two-year renewal period for drivers aged



seventy-two to seventy-nine should be extended to four 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. 2679, S.D. 2, 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, 10. Noes, none. Excused, 1 (Tokioaka).

#### **SCRep. 1350-22 Judiciary & Hawaiian Affairs on S.B. No. 3247**

The purpose of this measure is to require the Department of Hawaiian Home Lands to develop a strategic plan to meet applicant preferences:

- (1) For a single-family home or vacant lot for a house; and
- (2) To rent or rent-to-own a single-family home, duplex, apartment, or townhouse, with the option to buy in the future.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

Your Committee finds that in 2019, approximately 28,500 native Hawaiian adults were on the Department of Hawaiian Home Lands application waiting list for residential, farming, or ranching homesteads. The homelessness crisis in Hawaii is already serious, and the waiting list backlog exacerbates this crisis that disproportionately affects native Hawaiians. Your Committee finds that the Department of Hawaiian Home Lands' 2020 Beneficiaries Study Applicant Report indicates that seventy-six percent of applicants on the Department's waiting list preferred a lot with a single-family home or vacant lot for a house, while sixteen percent preferred a rental apartment, duplex, or townhouse, with the option to buy. This measure recognizes the housing preferences of native Hawaiian applicants on the waiting list for homestead leases by requiring the Department of Hawaiian Home Lands to develop a strategic plan to meet certain housing preferences of its beneficiaries on the waiting list.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, 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. 3247, 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. 3247, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1351-22 Judiciary & Hawaiian Affairs on S.B. No. 2115**

The purpose of this measure is to:

- (1) Require certain minors within the jurisdiction of the family court 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; and
- (2) Establish conditions and time limits for placing a minor in room confinement at a juvenile detention or adult jail facility.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Office of the Public Defender, Office of Youth Services, American Civil Liberties Union of Hawai'i, Opportunity Youth Action Hui, and one individual.

Your Committee finds that states are currently reexamining the practice of placing juveniles in solitary confinement, or room confinement, as concerns about the effectiveness of this practice mounts. Your Committee further finds that long periods of isolation have negative consequences on youth as they are especially vulnerable to the mental and emotional effects of room confinement. Such isolation can lead to depression, anxiety, psychosis, and psychological and developmental harm. This measure establishes conditions and limits for placing minors in room confinement at a detention or adult jail facility.

Your Committee notes that as currently drafted, this measure would allow an unlicensed mental health professional to determine if a minor should be subject to room confinement. Your Committee believes that due to the serious nature of room confinement and potential risk to minors, a qualified mental health professional should oversee the decisions regarding room confinement for minors.

Accordingly, your Committee has amended this measure by:

- (1) Defining a "mental health professional" to mean a qualified mental health professional or mental health professional supervised by a qualified mental health professional; and
- (2) Making technical, 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. 2115, 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. 2115, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1352-22 Judiciary & Hawaiian Affairs on S.B. No. 3293**

The purpose of this measure is to:

- (1) Establish a five-year Recidivism Prevention Pilot Program within the Judiciary consisting of a housing voucher program, child care voucher program, and income tax credit for employment of program participants to assist the reentry efforts of certain individuals who exited the Women's Community Correctional Center; and
- (2) Appropriate funds for:
  - (A) The implementation and operation of the Recidivism Prevention Pilot Program; and
  - (B) The establishment of five full-time equivalent permanent transition navigator positions within the Judiciary to provide assistance to individuals exiting the Women's Community Correctional Center in successfully rejoining their families and the community.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Women's Prison Project, and four individuals. Your Committee received testimony in opposition to this measure from the Judiciary. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Department of Public Safety.

Your Committee finds that providing temporary assistance to women leaving the Women's Community Correctional Center and incentivizing employers to hire these women will improve their outcomes and provide needed stability as they reenter society.

Your Committee has amended this measure by:

- (1) Amending the requirements for the income tax credit under the Recidivism Prevention Pilot Program; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee believes that the Recidivism Prevention Pilot Program should be established within the Department of Human Services as it is the more appropriate agency to carry out the Program's objectives.

As 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. 3293, 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. 3293, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1353-22 Higher Education & Technology on S.B. No. 3229**

The purpose of this measure is to:

- (1) Cap the amount of geothermal royalties that are to be paid to the University of Hawaii and to the county in which the geothermal resources are located;
- (2) Establish and appropriate funds out of the University of Hawaii Geothermal Exploration Special Fund for the Hawaii Groundwater and Geothermal Resources Center to further the discovery and development of geothermal resources;
- (3) Provide for the deposit of certain royalties into the University of Hawaii Geothermal Exploration Special Fund; and
- (4) Require the entities that receive geothermal royalties to submit an annual report to the Legislature.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Sustainable Energy Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii State Energy Office.

Your Committee finds that geothermal technology facilitates the generation of power from heat and energy found below the Earth's surface and the development of geothermal resources are important for meeting the State's goal of transitioning to one hundred percent renewable energy generation statewide. This measure provides further resources to advance geothermal discovery and development and will help Hawaii to achieve its clean energy goals.

Your Committee has amended this measure by:

- (1) Restoring the distribution of no more than \$1,000,000 annually in geothermal royalties to the State;
- (2) Removing the \$1,000,000 cap on the annual distribution of geothermal royalties to the University of Hawaii;
- (3) Deleting the establishment of the University of Hawaii Geothermal Exploration Special Fund;
- (4) Directing that the geothermal royalties that are distributed to the University of Hawaii be deposited into the already-existing University Innovation and Commercialization Initiative Special Fund;
- (5) Requiring the Hawaii Institute of Geophysics and Planetology, rather than the Hawaii Groundwater and Geothermal Resources Center, to use the royalties in the University Innovation and Commercialization Initiative Special Fund to further the discovery and development of geothermal resources;
- (6) Deleting the appropriation; 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. 3229, 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. 3229, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Ohno, Woodson, Yamane).

#### **SCRep. 1354-22 Housing/Health, Human Services, & Homelessness on S.B. No. 2150**

The purpose of this measure is to authorize and appropriate funds for the Department of Human Services to provide additional housing assistance subsidies of up to \$500 per month to recipients of the Temporary Assistance for Needy Families, or Temporary Assistance for Other Needy Families, who participate in the First-To-Work Program.

Your Committees received testimony in support of this measure from the Zonta Club of Hilo; Save Medicaid Hawaii; AAUW of Hawaii; Hawai'i Children's Action Network Speaks!; Catholic Charities Hawai'i; Partners In Care; HOPE Services Hawai'i, Inc.; and two individuals. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Budget and Finance, Office of Hawaiian Affairs, State Procurement Office, and Tax Foundation of Hawaii.

Your Committees find nearly one-third of renter households in the State are severely housing cost-burdened, meaning that over half of their monthly income goes to rent and utilities. This measure provides a shallow rental subsidy of \$500 per month that is targeted to First-To-Work participants. A shallow rental subsidy will reduce the housing cost burden for low-income families working to transition off public assistance, as well as prevent homelessness or reentry into homelessness.

Your Committees have amended this measure by:

- (1) Deleting the exemption for the expenditure of funds for the administration of housing assistance subsidies from the Hawaii Public Procurement Code and purchases of health and human services law; 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 Health, Human Services, & Homelessness that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2150, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2150, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, none. Excused, 3 (Ilagan, LoPresti, McDermott).

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

#### **SCRep. 1355-22 Housing/Health, Human Services, & Homelessness on S.B. No. 2370**

The purpose of this measure is to:

- (1) Establish the Office on Homelessness and Housing Solutions;
- (2) Establish the Homelessness and Housing Solutions Special Fund; and
- (3) Appropriate funds for the administration of the Office on Homelessness and Housing Solutions, subject to certain conditions.

Your Committees received testimony in support of this measure from the Judiciary, Office of the Public Defender, and four individuals. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness, Department of Public Safety, Department of Land and Natural Resources, Department of Human Services, Department of Budget and Finance, and The Institute for Human Services.

Your Committees find that homelessness is one of the most pressing problems in the State, with the State's homelessness per capita rate among the highest in the nation. The Governor's Coordinator on Homelessness currently has the mandate and authority to lead the Hawaii Interagency Council on Homelessness, which is a cross-sector, inter-governmental advisory council tasked with shaping and executing the State's strategy to end homelessness. Your Committees further find that a sustained, long-term, coordinated effort by government and the private sector is necessary to reduce and end homelessness statewide. The creation of a central office, as proposed in this measure, would enable greater collaboration, coordination, and creation of effective initiatives to prevent, reduce, and end homelessness.

Your Committees have amended this measure by:

- (1) Placing the Office on Homelessness and Housing Solutions under Part XVIII of Chapter 346, Hawaii Revised Statutes, relating to the Hawaii Interagency Council on Homelessness;
- (2) Removing the civil service exemption for employees of the Office on Homelessness and Housing Solutions other than the Governor's Coordinator on Homelessness;
- (3) Removing the responsibility of the Office on Homelessness and Housing Solutions to develop and implement homelessness and housing strategies as specified in the measure;
- (4) Deleting the establishment of the Homelessness and Housing Solutions Special Fund;
- (5) Removing the requirement that the Governor's Coordinator on Homelessness seek matching funds from the county in which proposed capital improvements are built or created;
- (6) Authorizing, rather than requiring, each county to provide support for programs within its county;
- (7) Appropriating general funds, instead of funds from the Homelessness and Housing Solutions Special Fund, for the administration of the Office of Homelessness and Housing Solutions, which shall include full-time equivalent positions for administration of the office; 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 Housing 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. 2370, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2370, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 6. Noes, none. Excused, 3 (Ilagan, LoPresti, McDermott).

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

#### **SCRep. 1356-22 Housing/Water & Land on S.B. No. 2372**

The purpose of this measure is to:

- (1) Require the Governor's Coordinator on Homelessness to determine whether any lands identified in the Affordable Rental Housing Report and Ten-Year Plan are suitable for developing temporary housing for the Ohana Zones Pilot Program or other affordable housing and provide recommendations on actions necessary to develop the lands accordingly;
- (2) Require the Hawaii Housing Finance and Development Corporation to establish a five-year Dwelling Unit Revolving Fund Equity Pilot Program and purchase equity in for-sale housing development projects under certain conditions;
- (3) Appropriate general funds into and out of the Rental Housing Revolving Fund for county projects; and
- (4) Appropriate general funds into and out of the Dwelling Unit Revolving Fund for the Dwelling Unit Revolving Fund Equity Pilot Program.

Your Committees received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, Hawai'i Association of REALTORS, and two individuals. Your Committees received comments on this measure from the Governor's Coordinator on Homelessness and Department of Budget and Finance.

Your Committees find that the rising cost of housing in the State is effectively pricing out local renters and homeowners and disproportionately affects vulnerable populations, such as the elderly and homeless, who may have fixed incomes. This measure will provide insight into the approaches and strategies needed to prevent homelessness and provide affordable housing for individuals and families.

Your Committees further find that developers are unable to sufficiently meet demand for Hawaii residents earning up to one hundred twenty percent of the area median income because per-unit development costs exceed affordable sales prices. This measure therefore infuses the Dwelling Unit Revolving Fund with funds to allow the Hawaii Housing Finance and Development Corporation to purchase equity in new, for-sale developments to lower the price paid by eligible buyers, which will in turn provide more units at lower affordability thresholds.

Your Committees have amended this measure by:

- (1) Requiring the Hawaii Housing Finance and Development Corporation, with the assistance of the Governor's Coordinator on Homelessness, to review the Affordable Rental Housing Report and Ten-Year Plan and related responsibilities required by this measure, instead of assigning the Governor's Coordinator on Homelessness with the responsibilities;
- (2) Deleting the proviso that allocated monies appropriated from the Rental Housing Revolving Fund to each county; 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 Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2372, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2372, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Housing: Ayes, 8. Noes, none. Excused, 1 (McDermott).

Water & Land: Ayes, 7. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1357-22 Housing on S.B. No. 2165**

The purpose of this measure is to amend the income tax credit for low-income household renters by:

- (1) Increasing the credit amount and the income eligibility cap thresholds for the tax credit; and
- (2) Adjusting the amount of the tax credit every three years based on the Urban Hawaii Consumer Price Index for all urban consumers.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Americans for Democratic Action Hawai'i, Hawaii Children's Action Network Speaks!, Parents And Children Together, Democratic Party of Hawai'i Education Caucus, Imua Alliance, Hawai'i Alliance for Progressive Action, and three individuals. 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 Hawaii is continually ranked among the highest in the nation for cost of living and these costs only continue to rise as affordable housing becomes increasingly scarce and prices for goods and services steadily increase. Although the existing income tax credit for low-income household renters is intended to target households with lower incomes, the \$50 credit amount was last adjusted in 1981 and the eligibility threshold was last adjusted in 1989. Since 1989, the cost of housing has increased by three hundred ninety percent, and therefore it is fitting to adjust the eligibility requirements and increase the amount of the tax credit to help low-income renters pay for the high costs of housing in the State.

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. 2165, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1358-22 Housing on S.B. No. 2877**

The purpose of this measure is to help remove barriers in securing affordable housing by:

- (1) Regulating how application screening fees are charged when processing applications to rent residential property, including establishing a cap on the amount of each application screening fee assessed; and
- (2) Requiring a landlord or the landlord's agent to provide an applicant a receipt for payment of the application screening fee and refund any unused amount of an application screening fee to the applicant, within specified time frames.

Your Committee received testimony in support of this measure from the Governor's Coordinator on Homelessness, Department of Human Services, Department of Commerce and Consumer Affairs, State Council on Developmental Disabilities, HOPE Services Hawai'i, Catholic Charities Hawai'i, and Hawai'i Health & Harm Reduction Center. Your Committee received testimony in opposition to this measure from Hawai'i Association of REALTORS and one individual. Your Committee received comments on this measure from EAH Housing.

Your Committee finds that there are numerous barriers to accessing affordable housing for low-income households and people experiencing homelessness. The costs associated with screening prospective tenants, including application screening fees for personal reference checks and credit reports, can result in financial hardship for prospective tenants, especially when the costs of multiple application screening fees mount.

Your Committee further finds that the charging of application screening fees for rental units is currently unregulated. As a result, the cost of these fees varies and can exceed the actual cost of screening. Regulating the assessment of application screening fees is one way to address impediments to securing affordable rental housing in the State.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Removing provisions that would have capped the amount that could be charged for an application screening fee and limited the number of fees that could be charged per application and per household;
- (3) Removing the requirement for the landlord or the landlord's agent to provide the applicant with a copy of any report obtained by the landlord or the agent, within ten days of the applicant's request;
- (4) Removing the thirty-day time frame in which the landlord or landlord's agent must return any unused amount of the application screening fee to the applicant;
- (5) Removing the savings clause;
- (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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2877, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2877, 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 (LoPresti, McDermott).

#### **SCRep. 1359-22 Housing on S.B. No. 2677**

The purpose of this measure is to:

- (1) Establish the Long-Term Rental Assistance Pilot Program to provide long-term rental assistance to individuals who are sixty-two years of age or older and are homeless or at imminent risk of becoming homeless;
- (2) Require the Hawaii Public Housing Authority to submit reports to the Legislature regarding the Long-Term Rental Assistance Pilot Program; and
- (3) Appropriate funds for the Long-Term Rental Assistance Pilot Program, including two full-time equivalent public housing specialist positions within the Hawaii Public Housing Authority.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Executive Office on Aging, AARP Hawai'i, Partners In Care, and Catholic Charities Hawai'i. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that homelessness among Hawaii's kupuna is a central part of the affordable housing needs in the State. The high cost of living in the State, the fixed income and complex health needs of older adults, rapidly rising rents, and the declining availability of affordable housing make rental assistance for older adults a necessity. Your Committee also finds that it is critical to help the most vulnerable elders in the State access housing, and providing rent supplements to these individuals is an important part of the overall solution needed to address housing and homeless related issues in Hawaii.

Your Committee further finds that an additional \$3,000,000 under a state rent supplement program for kupuna will provide much-needed state rental supplement assistance to serve five hundred vulnerable elders who are homeless or at risk of being homeless. It is your Committee's understanding that under the existing State Rent Supplement Program, a qualified family can receive up to a maximum of \$500 for rent. Furthermore, it will cost approximately \$3,750,000 for wraparound services for families under this measure.

Accordingly, your Committee has amended this measure by:

- (1) Temporarily expanding the existing State Rent Supplement Program to specifically target individuals who are sixty-two years of age or older and are homeless or at imminent risk of becoming homeless, rather than establishing a new Long-Term Rental Assistance Pilot Program;
- (2) Removing language that would have required the Hawaii Public Housing Authority to ensure that program participants pay no more than fifty percent of their net income for rent;
- (3) Amending the appropriation in this measure to:
  - (A) Apply to the State Rent Supplement Program for Kupuna, rather than the Long-Term Rental Assistance Pilot Program;
  - (B) Change the public housing specialist positions to an unspecified number; and
  - (C) Specify that the funds shall be in addition to the base budget of the Hawaii Public Housing Authority for the existing State Rent Supplement Program; 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. 2677, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2677, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1360-22 Housing on S.B. No. 2588**

The purpose of this measure is to appropriate funds to the Hawaii Public Housing Authority to remodel, renovate, repair, and rehabilitate two hundred sixty-four housing units.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that some of the Hawaii Public Housing Authority's properties were built over fifty years ago. The appropriation of funds contained in this measure will enable the Hawaii Public Housing Authority to address the capital needs backlog of its properties, including lead abatement, upgrading of electrical infrastructure, replacement of plumbing piping, roof replacement, spall repair, and federally-mandated Americans with Disabilities Act improvements.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that should your Committee on Finance deliberate on this matter further, that it considers appropriating \$25,000,000 for fiscal year 2022-2023 for the Hawaii Public Housing Authority to remodel, renovate, repair, and rehabilitate the two hundred sixty-four housing units specified in this measure.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2588, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2588, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1361-22 Housing on S.B. No. 3048**

The purpose of this measure is to:

- (1) Authorize the Director of Finance to transfer excess tax-exempt general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund;
- (2) Authorize the Rental Housing Revolving Fund to be used for the Hawaii Housing Finance and Development Corporation's housing finance programs;

- (3) Establish one full-time equivalent housing finance specialist position within the Hawaii Housing Finance and Development Corporation; and
- (4) Appropriate funds to the Hawaii Housing Finance and Development Corporation for hardware, software, and digitization efforts.

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 received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the Rental Housing Revolving Fund contains legacy funds derived from tax-exempt general obligation bond proceeds. These funds cannot be deployed for affordable rental housing development, because under United States Treasury regulations, tax-exempt funds cannot be used to finance projects that also use Low-Income Housing Tax Credits.

Your Committee further finds that to be used on Low-Income Housing Tax Credit projects, funds must be taxable general obligation bond proceeds. Once transferred to the Dwelling Unit Revolving Fund, these funds can be used to fulfill the Hawaii Housing Finance and Development Corporation's existing infrastructure obligations or other government infrastructure projects.

Your Committee has amended this measure by:

- (1) Establishing two full-time equivalent (2.0 FTE) housing financial specialist I positions within the Hawaii Housing Finance and Development Corporation, instead of one full-time equivalent (1.0 FTE) position;
- (2) Combining the appropriations in this measure into a single appropriation specifically for computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests that should your Committee on Finance deliberate on this matter further, that it consider:

- (1) Authorizing the Director of Finance to transfer \$45,000,000 in tax-exempt general obligation bond proceeds and accrued interest for fiscal year 2022-2023 from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund; and
- (2) Appropriating \$1,600,000 for fiscal year 2022-2023 for computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties.

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. 3048, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3048, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1362-22 Housing on S.B. No. 449**

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 one individual. Your Committee received testimony in opposition to 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. Your Committee also finds that requiring the State Fire Council to post an online informational guide on approved smoke alarms will ensure that life-saving information about smoke alarms is readily available to potential buyers of residential property and members of the general public.

Accordingly, your Committee has amended this measure by:

- (1) Requiring property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether an installed smoke alarm is in accordance with existing building or residential codes, rather than requiring sellers to equip a building or structure with an approved smoke alarm upon a sale or transfer;
- (2) Requiring the State Fire Council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing building or residential codes and post the guide on the State Fire Council's and county fire departments' websites;
- (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 S.B. No. 449, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 449, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1363-22 Housing on S.B. No. 2812**

The purpose of this measure is to facilitate the financing of affordable housing projects in the State by temporarily amending provisions that govern the allocation of the State's private activity bond ceiling. Specifically, this measure:

- (1) Facilitates the process for counties or issuers to assign their allocation back to the State by removing the requirement for a resolution or written certificate;
- (2) Repeals the authorization for counties or issuers to request additional allocations of the state bond ceiling;
- (3) Prioritizes projects of counties that assign their allocation back to the State over projects of counties that have their own bond issuance program;
- (4) Requires counties or issuers that retain their allocation to submit quarterly reports to the Department of Budget and Finance on the status or use of any allocation;
- (5) Requires a project to first apply to the county in which the project is located, if the county has a private activity bond issuance program, before applying to the State; and

- (6) Changes the dates for reverted or remaining allocations and requires certain reverted or remaining allocations to be allocated to the Hawaii Housing Finance and Development Corporation.

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 Catholic Charities Hawai'i. Your Committee received comments on this measure from the Department of the Attorney General and Department of Budget and Finance.

Your Committee finds that the State is committed to the production and maintenance of available affordable housing for its residents, and housing-related projects could benefit from greater access to private activity bond financing. Your Committee further finds that increasing coordination between the State and counties on the timing of private activity bond issuances would allow the State to more efficiently allocate private activity bonds for housing-related projects.

Your Committee has amended this measure by:

- (1) Deleting provisions that removed the requirement for counties or issues to assign their allocation back to the State via a resolution or written certificate;
- (2) Deleting provisions that repealed the authorization for counties or issuers to request additional allocations of the state bond ceiling;
- (3) Deleting provisions that prioritized projects of counties that assigned their allocation back to the State over projects of counties with their own bond issuance program;
- (4) Deleting provisions that specified when a project had to first apply to the county in which the project was located, before applying to the State;
- (5) Deleting provisions that changed dates for reverted or remaining allocations and required certain allocations to go to the Hawaii Housing Finance and Development Corporation;
- (6) Prohibiting the authorization of any special purpose revenue bonds that require an allocation of the annual state ceiling after June 30, 2022, and before December 31, 2028, unless requested by the Governor and approved by the Legislature;
- (7) Requiring any allocation of the annual state ceiling to a county with a population of over five hundred thousand during this same time frame to be used only for rental housing projects that are eligible for the Low-Income Housing Tax Credit;
- (8) Removing its sunset date; 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2812, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2812, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1364-22 Housing on S.B. No. 2002**

The purpose of this measure is to:

- (1) Define "assistance animal" in the context of existing state law that prohibits discrimination in real property transactions;
- (2) Codify the administrative process that allows an owner or other person engaging in a real estate transaction to request that a person claiming a disability provide verification to establish the disability-related need for a specific assistance animal as a reasonable accommodation; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document that is commonly purchased online and purports to identify an animal as a service animal or assistance animal does not constitute valid verification.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, Hawai'i Association of REALTORS, and Community Associations Institute Legislative Action Committee.

Your Committee finds that under federal and state fair housing laws, landlords may allow assistance animals in rental properties that otherwise do not allow pets. For landlords seeking to properly follow the fair housing laws, this can create problems discerning between a legitimate request from a person with a disability and a person who simply wishes to keep a pet in their rental unit. This measure clarifies the information that landlords may reasonably request from a person regarding verification of the assistance animal related to the person's housing request and expressly clarifies that possession of a garment or registration document purchased online does not constitute valid verification of an animal as a service animal or assistance animal.

Your Committee has amended this measure by:

- (1) Changing the effective date to November 1, 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 Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2002, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2002, 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, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1365-22 Health, Human Services, & Homelessness/Higher Education & Technology on S.B. No. 2657**

The purpose of this measure is to:

- (1) Reestablish the Hawaii Medical Education Council Special Fund to enable the John A. Burns School of Medicine to provide funding for medical education and training in Hawaii;
- (2) Appropriate funds to the John A. Burns School of Medicine to expand medical education and training on the neighbor islands and in medically underserved populations throughout the State; and
- (3) Appropriate funds to the John A. Burns School of Medicine to create further medical residency and training opportunities through a partnership with the United States Department of Veterans Affairs.

Your Committees received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Mānoa, Hawaii

Health Systems Corporation, Hawaii Primary Care Association, Waianae Coast Comprehensive Health Center, Hawai'i Pacific Health, Hawaii Medical Association, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Psychiatric Medical Association, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that many Hawaii residents are unable to obtain timely and appropriate health care due to a shortage of health care providers in the State, with residents of the neighbor islands disproportionately affected by shortages of physicians in all areas of practice. Your Committees further find that the John A. Burns School of Medicine has engaged in various strategies to increase the number of physicians in Hawaii, including the development of residency or fellowship rotations on neighbor islands and collaborating with the United States Department of Veterans Affairs to train Hawaii-based residents using a separate federal pool of resources for support. This measure supports ongoing efforts to address the health care professional shortage in Hawaii by providing funding for additional graduate medical education and training programs.

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 Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2657, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2657, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Higher Education & Technology: Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1366-22 Health, Human Services, & Homelessness/Higher Education & Technology on S.B. No. 2597**

The purpose of this measure is to appropriate funds for the Hawaii State Loan Repayment Program administered through the John A. Burns School of Medicine to provide loan repayment for health care professionals who agree to work in a federally-designated health professional shortage area.

Your Committees received testimony in support of this measure from the Department of Health, Department of Labor and Industrial Relations, John A. Burns School of Medicine at the University of Hawai'i at Mānoa, Hawai'i Primary Care Association, Hawai'i Pacific Health, Hawaii Medical Association, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Psychiatric Medical Association, Kaiser Permanente Hawai'i, and one individual. Your Committees received comments on this measure from the Department of Budget and Finance.

Your Committees find that the John A. Burns School of Medicine currently administers the Hawaii State Loan Repayment Program, which provides student loan repayments for health care professionals who agree to work in a federally-designated health professional shortage area. This program leverages public funds and private donations to access matching federal funds through the National Health Service Corps State Loan Repayment Program of the United States Department of Health and Human Services.

Your Committees further find that the Hawaii State Loan Repayment program has achieved considerable success in educating, training, and recruiting health care professionals to work in underserved areas. Since September 1, 2012, the loan repayment program has supported sixty-four recipients in exchange for work commitments in underserved geographic practice areas in Hawaii, eighty-three percent of whom have remained in the State to practice after graduation. The state matching funds appropriated by this measure will enable the John A. Burns School of Medicine to draw down as much federal money as possible and allow the program to provide loan repayment to more health care professionals, which will help in the ongoing efforts to alleviate the health care professional shortages in the State.

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 Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2597, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2597, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Higher Education & Technology: Ayes, 13. Noes, none. Excused, none.

#### **SCRep. 1367-22 Health, Human Services, & Homelessness/Higher Education & Technology on S.B. No. 2144**

The purpose of this measure is to require the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprised of stakeholders, to develop and publish, and periodically review and update, electronic information technology accessibility standards to be implemented by all state entities.

Your Committees received testimony in support of this measure from the Executive Office on Aging, Hawaii State Council on Developmental Disabilities, Hawai'i Civil Rights Commission, Disability and Communication Access Board, National Federation of the Blind of Hawaii, and eight individuals. Your Committees received comments on this measure from the Office of Enterprise Technology Services and one individual.

Your Committees find that electronic information technology has rapidly replaced conventional printed communications in the areas of employment, education, and receipt of services. Your Committees further find that uniform standards are needed to ensure that state entities are proactively addressing accessibility in their communications, information technology development, and technology procurement processes. This measure helps the State meet its digital equity goals by ensuring that all electronic information, programs, and services offered by the State are accessible to individuals with a disability.

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 Higher Education & Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2144, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2144, S.D. 1, H.D. 1, and be referred to your Committee on Finance.



Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Higher Education & Technology: Ayes, 12. Noes, none. Excused, 1 (Woodson).

#### **SCRep. 1368-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on S.B. No. 3124**

The purpose of this measure is to make an emergency appropriation to provide funds for the Department of Health for costs related to emergency response for threats to public health and enforcement activities resulting from release of petroleum from the Red Hill Bulk Fuel Storage Facility.

Your Committees received testimony in support of this measure from the Department of Health, Honolulu Board of Water Supply, 350Hawaii.org, Hawai'i Alliance for Progressive Action, and two individuals. Your Committees received comments on this measure from the Department of Budget and Finance and one individual.

Your Committees find that the Joint Base Pearl Harbor Hickam water crisis and the fuel contamination of the Navy's Red Hill Shaft water sources has caused the Department of Health to incur tremendous costs in its efforts to address the public health impacts of the fuel releases from the Red Hill Bulk Fuel Storage Facility. The ongoing crisis is fluid and the lack of an appropriation may hamper the scope and speed of the Department's response. The emergency appropriation in this measure is needed to ensure cash flow and operational continuity for the ongoing emergency response, regulatory oversight, and enforcement related to the Red Hill water crisis.

Your Committees have amended this measure by:

- (1) Inserting an appropriation amount of \$1,500,000 to the Department of Health for response and enforcement activities relating to the petroleum leaks at the Red Hill Bulk Fuel Storage Facility; 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 Energy & Environmental Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3124, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3124, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 7. Noes, none. Excused, none.

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Matayoshi).

#### **SCRep. 1369-22 Health, Human Services, & Homelessness/Education on S.B. No. 2701**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a one-year Child Care Worker Subsidy Pilot Program to retain existing child care workers; and
- (2) Appropriate funds to be deposited in the Early Learning Special Fund for the Hawaii Early Childhood Educator Stipend Program.

Your Committees received testimony in support of this measure from the Executive Office on Early Learning, Early Learning Board, Hawai'i State Commission on the Status of Women, Rainbow Family 808, American Association of University Women of Hawaii, Early Childhood Action Strategy, Hawai'i Association of School Psychologists, Hawai'i Children's Action Network Speaks!, and numerous individuals. Your Committees received comments on this measure from the Department of Budget and Finance and Department of Human Services.

Your Committees find that the ongoing coronavirus disease 2019 pandemic has disrupted the State's child care and early education system, creating additional challenges to expanding access to quality, affordable child care and early education. Your Committees further find that demand for quality child care and early education far exceeds the number of qualified child care and early education professionals currently available in the State. This measure supports Hawaii's children, working families, and communities by helping improve the recruitment and retention of child care workers and early childhood educators in the State.

Your Committees have amended this measure by:

- (1) Limiting participation in the Child Care Worker Subsidy Pilot Program to child care workers working in licensed child care centers, licensed infant and toddler centers, registered family child care homes, and licensed group child care centers;
- (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 records of votes of the members of your Committees on Health, Human Services, & Homelessness and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2701, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2701, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Nishimoto).

Education: Ayes, 12. Noes, none. Excused, 1 (Quinlan).

#### **SCRep. 1370-22 Health, Human Services, & Homelessness/Housing on S.B. No. 3168**

The purpose of this measure is to:

- (1) Permit persons receiving accommodations or services from an Ohana Zone site to request a ninety-day extension of the accommodations or services received by the recipient;
- (2) Extend the Ohana Zones Pilot Program's sunset date to June 30, 2028;
- (3) Establish an Ohana Zones program within the Hawaii Public Housing Authority as part of its rental assistance programs, upon expiration of the Ohana Zones Pilot Program on June 30, 2028; and
- (4) Appropriate funds for the extension of the Ohana Zones Pilot Program and associated expenses.

Your Committees received testimony in support of this measure from the Governor's Coordinator on Homelessness; Department of Land and Natural Resources; Kaua'i County Housing Agency; St. Michael the Archangel Church; Habitat for Humanity Hawaii Island, Inc.; Catholic Charities Hawai'i; Opportunity Youth Action Hui; Partners In Care; Hope Services Hawai'i; and one individual. Your Committees received comments on this measure from the Department of Budget and Finance, Department of Human Services, and Hawaii Public Housing Authority.

Your Committees find that the Ohana Zones Pilot Program, established by Act 128, Session Laws of Hawaii 2018, provides flexible funding to the State and counties to develop innovative programs reflecting the local needs of specific communities. Your Committees further find that the Ohana Zones Pilot Program has been effective at serving its intended purposes of providing housing and critical services to the State's homeless population. Since its establishment in 2018, the Ohana Zones Pilot Program has supported twenty projects statewide and as of November 2021, has aided 5,510 homeless individuals statewide, including 1,368 individuals who were placed into permanent housing.

Your Committees find that a similar measure, H.B. No. 2512, H.D. 2 (Regular Session of 2022), was previously passed by the House.

Your Committees have amended this measure by:

- (1) Deleting its contents and inserting the contents of H.B. No. 2512, H.D. 2, a measure that:
  - (A) Expands regulatory exemptions for Ohana Zones Pilot Program contracts;
  - (B) Extends the sunset date for the Ohana Zones Pilot Program to June 30, 2026; and
  - (C) Appropriates funds for the Ohana Zones Pilot Program;
- (2) Making the State the payor of last resort for all expenses related to the Ohana Zones Pilot Program; and
- (3) 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 Health, Human Services, & Homelessness and Housing that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3168, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3168, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 6. Noes, none. Excused, 1 (Gates).

Housing: Ayes, 6. Noes, none. Excused, 3 (Ilagan, LoPresti, McDermott).

#### **SCRep. 1371-22 Health, Human Services, & Homelessness on S.B. No. 2281**

The purpose of this measure is to:

- (1) Establish interim licensure requirements for school psychologists and require all school psychologists to obtain an interim license from the Board of Psychology by January 1, 2023;
- (2) Amend the composition of the Board of Psychology to include two school psychologists; and
- (3) Require the Board of Psychology and the Department of Education to develop a permanent licensing scheme for school psychologists and submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board; Hui for Excellence in Education; Hawai'i Association of School Psychologists; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Psychological Association; Hawaii State Teachers Association; and eleven individuals. Your Committee received testimony in opposition to this measure from the Board of Psychology. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Education.

Your Committee finds that Hawaii is the only state without certification or licensure for school psychologists. Your Committee further finds that because the State has failed to properly license school psychologists, the State is unable to seek reimbursements from the federal Medicaid program for the use of school psychologists in an educational setting. Establishing a licensure program for school psychologists will ensure the employment of qualified school psychologists and allow schools using school psychologists to properly seek available federal Medicaid 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 S.B. No. 2281, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2281, 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, none.

#### **SCRep. 1372-22 Health, Human Services, & Homelessness on S.B. No. 2124**

The purpose of this measure is to:

- (1) Establish maximum allowable noise levels emitted from establishments regulated by county liquor commissions or liquor control adjudication boards;
- (2) Specify that the emission of noise that exceeds the maximum allowable noise level constitutes a noise violation;
- (3) Allow noise violations to be enforced by summons or citations issued by law enforcement officers; and
- (4) Permit county liquor commissions and liquor control adjudication boards to revoke or suspend; deny the application, renewal, or transfer of; or withhold issuance of a liquor license when a licensee or applicant fails to take corrective action to address noise complaints or violations.

Your Committee received testimony in support of this measure from Citizens Against Noise, Free Access Coalition, and seventeen individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that excessive noise pollution is harmful to public health. Your Committee further finds that establishments that serve alcohol, such as restaurants, bars, and night clubs that are in close proximity to residential areas, contribute to excessive noise pollution. This measure mitigates low-frequency noise pollution from these establishments by establishing a regulatory and enforcement scheme.

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. 2124, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2124, 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, none.

#### **SCRep. 1373-22 Health, Human Services, & Homelessness on S.B. No. 2371**

The purpose of this measure is to establish a Statewide Homelessness Information System Working Group to assess the feasibility of establishing a statewide information system to collect and track real-time data related to homelessness in the State.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Department of the Prosecuting Attorney of the City and County of Honolulu, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness; Department of Budget and Finance; Partners In Care; and Institute for Human Services, Inc.

Your Committee finds that homelessness is an ongoing crisis in the State. Your Committee further finds that collecting and understanding accurate, real-time data related to homelessness is vital to strategically addressing homelessness in Hawaii by identifying gaps where homelessness services, shelter, or housing are required but not available and informing policymakers on where funding may be directed to address those gaps.

Your Committee has amended this measure by:

- (1) Changing the composition of the working group to generally include nonprofit organizations that provide continuum of care services in the State, rather than naming specific organizations;
- (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. 2371, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2371, 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, none.

#### **SCRep. 1374-22 Health, Human Services, & Homelessness on S.B. No. 2373**

The purpose of this measure is to:

- (1) Create the Project Reset program to assist offenders with securing post-release housing, including transitional housing and permanent housing, and to support the offender's reentry, rehabilitation, and employment prospects;
- (2) Establish one full-time equivalent position in the Department of Human Services to administer the Project Reset program; and
- (3) Appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Substance Abuse Coalition, Chamber of Commerce Hawaii, Community Alliance on Prisons, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness and Department of Budget and Finance.

Your Committee finds that offenders exiting correctional facilities are at risk of becoming homeless because of a lack of comprehensive programs focusing on transitioning offenders through the process of reentry, rehabilitation, employment, and housing. Your Committee further finds that the establishment of a reentry program to assist offenders in obtaining post-release housing as they transition back into the community will provide stability and reduce recidivism.

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. 2373, 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, none.

#### **SCRep. 1375-22 Health, Human Services, & Homelessness on S.B. No. 2822**

The purpose of this measure is to authorize the Department of Education to offer optional asthma education instruction to students and provide asthma training to teachers and other Department employees who interact with students.

Your Committee received testimony in support of this measure from the Department of Education, Disability and Communication Access Board, Hawai'i Primary Care Association, AlohaCare, Hawaii Medical Association, Early Childhood Action Strategy, and two individuals. Your Committee received comments on this measure from the Department of Health, University of Hawai'i at Mānoa, Hawai'i Children's Action Network Speaks!, Hawai'i Public Health Institute, American Lung Association, and one individual.

Your Committee finds that more than one hundred ten thousand Hawaii residents are living with asthma and approximately one-third of those are children. Every year, over five thousand people in Hawaii visit emergency rooms due to asthma, with infants and young children making up the majority of asthma-related medical emergencies and hospitalizations. Although the asthma mortality rate has declined over the past ten years, there was an average of twenty-two deaths per year from asthma in Hawaii between 2013 and 2015.

Your Committee further finds that research funded by the Centers for Disease Control and Prevention and published in the Journal of School Health revealed that students who engage in school-based asthma education experienced significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after participation in the intervention. This measure authorizes the Department of Education to offer optional asthma education instruction to students and provide training to teachers and other Department employees to ensure students with asthma are able to thrive in all environments.

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. 2822, 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, none.

**SCRep. 1376-22 Health, Human Services, & Homelessness on S.B. No. 2869**

The purpose of this measure is to allow obligees under an order solely for spousal support to elect to enforce the order pursuant to the State's garnishment laws, rather than through the clerk of the court.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that establishing a mechanism to allow an obligee to elect to enforce an order for spousal support by garnishment through the obligor's employer, rather than through the clerk of the court, will make it faster and easier for an obligee to receive spousal support.

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. 2869, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2869, 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, none.

**SCRep. 1377-22 Health, Human Services, & Homelessness on S.B. No. 3110**

The purpose of this measure is to:

- (1) Rename the Preschool Grant Program Special Fund as the Child Care Grant Program Special Fund;
- (2) Add federal funds as one of the fund sources for the Child Care Grant Program Special Fund;
- (3) Authorize the Child Care Grant Program Special Fund to be used to give grants to child care facilities;
- (4) Change the date by which reports for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund must be submitted to the Legislature; and
- (5) Repeal the authority to expend funds without an appropriation from the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund to conform with state constitutional provisions.

Your Committee received testimony in support of this measure from the Department of Human Services, Executive Office on Early Learning, and Early Childhood Action Strategy.

Your Committee finds that this measure renames the Preschool Grant Program Special Fund as the Child Care Grant Program Special Fund, which will allow the focus of the special fund to encompass the scope of children across the early learning continuum, from birth until kindergarten. Your Committee further finds that this measure authorizes the Department of Human Services to provide grants to child care facilities beyond those eligible for the Preschool Open Doors Program, which will support parents and caregivers by ensuring the State's child care facilities can continue to provide access to safe and qualified child care.

Your Committee has amended this measure by:

- (1) Deleting language that would have authorized federal funds received by the Department of Human Services to be deposited into the Child Care Grant Program 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. 3110, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3110, 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, none.

**SCRep. 1378-22 Health, Human Services, & Homelessness on S.B. No. 3111**

The purpose of this measure is to establish and fund a five-year Family Resource Centers Pilot Program within the Department of Human Services and fund one full-time equivalent Family Resource Centers Coordinator position to further develop and implement a statewide network of school- and community-based family resource centers.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, Waimanalo Elementary and Intermediate School, Kailua High School, Hawaii Children's Action Network Speaks!, 'Ohana Support Network, Hawai'i Afterschool Alliance, Community Alliance on Prisons, Blueprint for Change, Early Childhood Action Strategy, and three individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that family resource centers play a critical role in preventing child abuse and neglect, strengthening children and families, connecting family-impacting agencies and programs, creating opportunities for community-level coordination, creating social connections to resources and support systems, and increasing family engagement, all of which lead to greater student success in school.

Your Committee further finds that various studies have found that communities with family resource centers show lower rates of child abuse and neglect investigations, lower numbers of children entering foster care, and an increase in parents or custodians gaining employment within one year after participating in services provided through the centers. This measure establishes a five-year Family Resource Centers Pilot Program, which will allow the Departments of Human Services, Education, and Health to provide coordinated family-impacting services designed to meet the needs, cultures, and interests of communities serviced by family resource centers.

Your Committee has amended this measure by:

- (1) Deleting language exempting the Family Resource Centers Coordinator from civil service requirements;
- (2) Requiring that all contracts entered into by the Departments of Human Services, Education, and Health for family resource centers be subject to the Hawaii Public Procurement Code and procurement requirements for purchases of health and human services;

- (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. 3111, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3111, 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, none.

#### **SCRep. 1379-22 Health, Human Services, & Homelessness on S.B. No. 3112**

The purpose of this measure is to:

- (1) Authorize the Department of Human Services to conduct comprehensive background checks on current and prospective employees, volunteers, and contractors, and a contractor's employees, agents, or volunteers in positions that require these individuals to be in close proximity to certain minors, young adults, or vulnerable adults; and
- (2) Make housekeeping amendments for conformity with Act 133, Session Laws of Hawaii 2016.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, Department of Human Services, and Hawaii Family Advocacy Team.

Your Committee finds that the current pre-employment background check process for the Department of Human Services includes a State of Hawaii name-based criminal history record check and relies on prospective new hires to self-report any convictions that occurred outside of the State. This measure enables the Department of Human Services to obtain information directly from the Federal Bureau of Investigation and Hawaii Criminal Justice Data Center. Your Committee further finds that moving to a comprehensive national and state fingerprint-based criminal history record check will ensure minors, young adults, and vulnerable adults are being served by individuals with reputable and responsible characters.

Accordingly, your Committee has amended this measure by:

- (1) Deleting provisions relating to the Department of Health and Family Court that changed the term "foster boarding homes" with "resource family homes" as these amendments may be outside the scope of its title;
- (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. 3112, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3112, 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, none.

#### **SCRep. 1380-22 Health, Human Services, & Homelessness on S.B. No. 3236**

The purpose of this measure is to appropriate funds to provide a one-time enhanced payment equal to fifteen percent of the Medicaid patient payments of fiscal year 2022-2023 made to any eligible facility in the State that provides care to Medicaid patients in a Medicare-certified nursing facility, community care foster family home, and expanded adult residential care home.

Your Committee received testimony in support of this measure from the Hawaii Health Systems Corporation Board of Directors, Healthcare Association of Hawaii, Hawai'i Pacific Health, Palolo Chinese Home, Ohana Pacific Health, Aloha Nursing Rehab Centre, Ann Pearl Rehab & Nursing, Garden Isle Rehab & Nursing, Legacy Hilo Rehab & Nursing, Hale Mauka Health Services, The Villas, Hawai'i Family Caregiver Coalition, Kaiser Permanente Hawai'i, Islands Skilled Nursing and Rehabilitation, Pu'uwai 'O Makaha, The Queen's Health Systems, AARP Hawai'i, Hale Kūpuna Heritage Home, and four individuals. Your Committee received comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic created significant staffing and financial strains for Hawaii's long-term care facilities. Nursing facilities, community care foster family homes, and expanded residential care homes in the State have experienced significant hardships, such as increased costs of labor, and having to pay for personal protective equipment, supplies, testing, and other pandemic-related expenses. Your Committee further finds that many nursing facilities have been forced to rely on temporary staffing agencies to compensate for staff absences due to COVID-19 exposures or infection, employee burnout, or employee attrition.

Your Committee also finds that although these facilities received some federal assistances, these funds only cover approximately thirty percent of the facilities' total pandemic-related losses. This measure is intended to assist licensed facilities that provide skilled nursing or intermediate care to Medicaid patients by providing a one-time enhanced payment to each facility, which will help these facilities stabilize and attract qualified workers and improve health outcomes for vulnerable facility residents.

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. 3236, 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, none.

#### **SCRep. 1381-22 Culture, Arts, & International Affairs on S.B. No. 3338**

The purpose of this measure is to appropriate funds for the design, planning, and construction of the Kalaupapa Memorial.

Your Committee received testimony in support of this measure from the Department of Health, one member of the Maui County Council, Ka 'Ohana O Kalaupapa, Damien Museum in Tremelo, Damien Archives in Leuven, Living Life Source Foundation, IDEA Center for the Voices of Humanity, Ke Kai O Kuloloi'a, Roman Catholic Church Diocese of Honolulu, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that a memorial to honor the more than eight thousand people who were separated from their families and institutionalized at the Kalaupapa Settlement on the island of Molokai will allow for family members to reconnect with their ancestors and their stories and shine a light on a crucial

segment of Hawaii's history.

Should your Committee on Finance deliberate this measure further, your Committee respectfully requests it consider appropriating \$5,000,000 for the design, planning, and construction of the Kalaupapa Memorial.

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. 3338, 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, none.

#### **SCRep. 1382-22 Agriculture on S.B. No. 2056**

The purpose of this measure is to require and appropriate funds for the Office of Planning and Sustainable Development to conduct a study of the suitability of soil classification systems, including the soil overall (master) productivity rating system and detailed land classification of the Land Study Bureau, for the regulation of agricultural lands by the State and counties.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii State Energy Office, Office of Planning and Sustainable Development, University of Hawai'i System, Hawai'i Farm Bureau, and one individual. Your Committee received testimony in opposition to this measure from Hawaii's Thousand Friends. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Farmers Union United.

Your Committee finds that there has not been a comprehensive soil study or agricultural soil mapping for fifty years. The first and only statewide soil mapping, classification, and characterization study, conducted by the Land Study Bureau of the University of Hawaii from 1965 to 1972, remains the master reference for the regulation of lands in the agricultural district by the State and counties and was based on activities such as plantation sugar cane and pineapple production. Your Committee further finds that factors other than soil quality, such as rainfall, wind strength, temperature, humidity, and availability of irrigation, are also important determinants of the suitability of particular types of agriculture on certain lands. The study proposed by this measure could examine factors other than soil that would also be important to consider in the regulation of agricultural lands.

Your Committee has amended this measure by:

- (1) Requiring the Office of Planning and Sustainable Development to conduct the study in cooperation with the Department of Agriculture and Land Use Commission; and
- (2) Making technical, 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. 2056, 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. 2056, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1383-22 Agriculture on S.B. No. 2218**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a five-year food hub pilot program that provides for the awarding of grant funding to qualified applicants wishing to establish and expand food hubs in each of the counties;
- (2) Require the Department of Agriculture to submit to the Legislature interim progress reports on the food hub pilot program prior to the Regular Sessions of 2023, 2024, 2025, and 2026, and a final report on its findings, recommendations, and any proposed legislation prior to the Regular Session of 2027; and
- (3) Appropriate funds for the food hub pilot program and upgrades to the Honalo Marshalling Yard to be developed as a food hub.

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; Department of Research and Development of the County of Hawaii; North Shore Economic Vitality Partnership; Hawai'i 'Ulu Producers Cooperative; Hawai'i Primary Care Association; Kauai Women's Caucus; The Locavore Store; Hawaii Cattlemen's Council, Inc.; Ulupono Initiative; Land Use Research Foundation of Hawaii; Kānalani Ohana Farm; Hawaii Food Industry Association; The Friends of Makakilo; Hawaii Farmers Union United; Hawai'i SEED; Hawai'i Farm Bureau; Hawai'i Pacific Health; Kamehameha Schools; Hawai'i Alliance for Progressive Action; Hawaii Meats; Aloha Harvest; and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that food hubs are centrally located facilities with a business management structure that facilitates aggregation, storage, processing, distribution, and marketing of locally produced food products. Food hubs actively coordinate activities along the value chain, thereby providing small- to mid-sized producers with wider access to institutional and retail markets and increasing consumers' access to fresh healthy food. Your Committee further finds that the establishment of food hubs under a food hub pilot program will support efforts to strengthen the State's food security by facilitating the distribution and consumption of locally grown food.

Your Committee has amended this measure by:

- (1) Specifying that the food hub pilot program shall terminate on June 30, 2027; and
- (2) Making technical, 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. 2218, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2218, 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. 1384-22 Agriculture on S.B. No. 2621**

The purpose of this measure is to appropriate funds to control the spread of bovine tuberculosis among livestock and feral ungulates on Molokai, including the associated expenses for staff, land acquisition, and equipment.

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 and Department of Agriculture.

According to the Department of Agriculture, bovine tuberculosis has been detected in livestock on Molokai after twenty-five years without detections. Your Committee finds that this measure provides resources necessary for the effective control of the disease, including on-island personnel to conduct surveillance testing and expanded outbreak response activities, as well as to perform monitoring and information gathering, and for land acquisition to construct an on-island facility to increase efficiency and safety in processing animals for testing.

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. 2621, 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. 1385-22 Agriculture on S.B. No. 2907**

The purpose of this measure is to require the Hawaii Invasive Species Council to amend its administrative rules to classify coffee leaf rust as an invasive species and expend any available funds for mitigation efforts, research, and prevention or control actions for coffee leaf rust.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, the Hawai'i Farm Bureau, Hawaii Coffee Association, and one individual. Your Committee received comments on this measure from the Department of Agriculture, Department of Land and Natural Resources, and University of Hawai'i System.

Your Committee finds that efforts to control coffee leaf rust are critical to sustaining the State's coffee industry. The long-term impact of a coffee leaf rust outbreak could cause a thirty percent to eighty percent loss of Hawaii's annual coffee yield if not properly treated. Classifying coffee leaf rust as an invasive species will allow the use of available funds for coffee leaf rust mitigation and prevention efforts.

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. 2907, 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. 1386-22 Agriculture on S.B. No. 2996**

The purpose of this measure is to appropriate funds for research, extension, and control of the little fire ant and other harmful ant species.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, Hawaii Pest Control Association, Daifukuji Soto Mission, Kualoa Ranch, Hawai'i Association of REALTORS, Hawai'i Farm Bureau, MacFarms of Hawaii LLC, and twelve individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that little fire ants, first discovered on the island of Hawaii in 1999 and now also found on the islands of Kauai, Lanai, Oahu, and Maui, pose a threat to human health, wildlife, agriculture, and tourism. If left unmanaged, populations of little fire ants at hotels, golf courses, and parks will pose threats to the State's residents and visitors and threaten farmers, who may harvest ant-infested crops and facilitate the spread of sapsucking plant pests that can decrease crop yields. Your Committee recognizes the world-renowned invasive species mitigation research of the Hawaii Ant Lab and the Lab's critical role in combatting the spread of little fire ants throughout the State. This measure will provide much-needed funds for the Hawaii Ant Lab to continue its research, extension, and control efforts for little fire ants and other harmful ant species.

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. 2996, 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. 1387-22 Agriculture on S.B. No. 3197**

The purpose of this measure is to establish and appropriate funds for the Farmer Apprentice Mentoring Program under the Department of Agriculture to support farmer mentors in training apprentices on methods for improving soil health by using the whole farm system approach.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Kauai Women's Caucus, The Locavore Store, Kanalani Ohana Farm, The Friends of Makakilo, Hawai'i SEED, Hawaii Farmers Union United, Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee finds that the challenges facing new and aspiring farmers as they enter an ever-changing agriculture industry can be daunting. Through hands-on experience and mentorship, new and aspiring farmers stand to benefit from the skills, knowledge, and technical assistance of existing farmers and others in the agricultural industry. This measure provides one way for beginning farmers to receive training for up to one year on methods for improving soil health using a whole farm system approach.

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 S.B. No. 3197, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3197, 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. 1388-22 Agriculture on S.B. No. 3251**

The purpose of this measure is to require:

- (1) Hunters, including hunting guides, to obtain written permission from private landowners or other appropriate persons before hunting on private lands;
- (2) Hunting guides to file the written permission with the Department of Land and Natural Resources' Division of Forestry and Wildlife, as part of the hunting guide licensing process; and

(3) Hunters, including hunting guides, to carry a copy of the written permission with them when hunting on private lands.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Maui Chamber of Commerce; and one individual.

Your Committee finds that as the popularity of guided hunting tours has increased, some hunting guides have guided clients on hunts on private lands without the written permission of the private landowners. While existing law requires hunters and hunting guides to obtain permission to hunt on private land, requiring written permission from the landowner to be filed with the Department of Land and Natural Resources and carried on a hunting guide's person while guiding clients may make it easier to verify whether permission was obtained.

Your Committee has amended this measure by:

- (1) Deleting the requirement for all hunters other than hunting guides to carry a copy of the written permission with them when hunting on private lands; and
- (2) Making technical, 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. 3251, 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. 3251, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1389-22 Labor & Tourism on S.B. No. 2075**

The purpose of this measure is to require the Hawaii Tourism Authority to include performance-based incentives in all of its professional services contracts.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce. Your Committee received comments on this measure from the Hawaii Tourism Authority.

Your Committee finds that the inclusion of performance-based incentives in the Hawaii Tourism Authority's professional services contracts is intended to maximize the efficacy and return on marketing efforts.

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. 2075, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2075, 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. 1390-22 Labor & Tourism on S.B. No. 2077**

The purpose of this measure is to:

- (1) Add the Director of Business, Economic Development, and Tourism as an ex officio voting member of the Hawaii Tourism Authority Board of Directors;
- (2) Add the Director of Transportation, Chairperson of the Board of Land and Natural Resources, Chairperson of the Board of Agriculture, and Executive Director of the State Foundation on Culture and the Arts as ex officio nonvoting members of the Hawaii Tourism Authority Board of Directors;
- (3) Clarify the authority and responsibility of the Hawaii Tourism Authority Board of Directors;
- (4) Rename the tourism marketing plan to the tourism branding plan; and
- (5) Repeal the Hawaii Tourism Authority Advisory Group.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Transportation; Hawaii Tourism Authority; and Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Land and Natural Resources and Hawaii State Foundation on Culture and the Arts.

Your Committee finds that designating the identified state representatives as ex officio members of the Hawaii Tourism Authority Board of Directors will assist the Authority in more fully integrating their areas of expertise into the Authority's policies. Your Committee further finds that this measure will better align the Hawaii Tourism Authority with a focus on destination management by acknowledging as part of the Authority's statutory responsibilities its role in facilitating the community-based destination management action plans.

Your Committee has amended this measure by:

- (1) Retaining existing references in the measure to "marketing" and deleting new references to "branding" or "brand";
- (2) Deleting the long-range strategic plan and island destination management action plans from the areas upon which the Hawaii Tourism Authority, through its President and Chief Executive Officer, is authorized to engage the services of qualified persons for implementation;
- (3) Deleting the provision authorizing the Hawaii Tourism Authority to develop programs to perpetuate the cultures of Hawaii and engage local communities to sustain and preserve the Native Hawaiian culture because the provision is redundant of existing statutory authority;
- (4) Clarifying the Hawaii Tourism Authority's role in facilitating the community-based destination management action plans developed in partnership with the counties; 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 S.B. No. 2077, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2077, 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. 1391-22 Labor & Tourism on S.B. No. 2298**

The purpose of this measure is to increase the penalty for employers who fail to pay the wages of their employees in accordance with chapter 387, Hawaii Revised Statutes, the wage and hour law, and chapter 388, Hawaii Revised Statutes, governing payment of wages and other compensation, to a class C felony.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO, CLC, Local 665; Hawaii State AFL-CIO; and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that state labor laws should vigorously protect workers from employers who fail to pay their employees. The State's most economically vulnerable workers are job insecure and deterring wage theft protects low-wage earners in particular. By increasing penalties, this measure holds employers who violate wage and hour laws or other compensation laws accountable.

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 S.B. No. 2298, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2298, 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. 1392-22 Labor & Tourism on S.B. No. 2457**

The purpose of this measure is to appropriate monies to the Department of Labor and Industrial Relations, Office of Community Services, for immigrant resource centers to assist immigrant and refugee populations throughout the State.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Human Services, Office of Community Services, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, Catholic Charities Hawai'i, Americans for Democratic Action, The Legal Clinic, 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 Budget and Finance.

Your Committee finds that the Office of Community Services maintained immigrant resource centers in all four counties to provide support services for low-income immigrants for state fiscal years 2014 through 2017. The immigrant resource centers were funded by state funds at a level of \$700,000 per year. Currently, no funds have been appropriated for immigrant resource centers and the Office of Community Services does not operate any.

Your Committee recognizes that, on a per-capita basis, Hawaii has an extremely large immigrant population compared to other states. According to the 2020 Census, about two hundred seventy thousand Hawaii residents, who constitute about 18.5 percent of Hawaii's total population, are foreign-born.

Your Committee further finds that Hawaii's immigrants are more likely to have a lower income than native-born residents and less likely to have health insurance, but according to 2018 statistics, they generate approximately \$17,600,000,000 toward Hawaii's economy, paying \$1,550,000,000 in federal taxes and over \$874,000,000 in Hawaii state and county taxes. Hawaii's immigrants make up forty percent of the State's agricultural workers and thirty-three percent of the State's tourism, entertainment, and hospitality workers.

Your Committee also finds that when the immigrant resource centers were operating, service providers actively reached out to the immigrant communities and made immigrants aware of the services available to them at all levels of government and in the private sector. Your Committee believes these outreach efforts should continue with the revival of immigrant resource centers.

Your Committee has amended this measure by:

- (1) Requiring an outreach component for the immigrant resource centers; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Should your Committee on Finance decide to hear this measure, your Committee respectfully requests that it consider appropriating \$1,000,000 for the immigrant resource centers.

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. 2457, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2457, 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. 1393-22 Labor & Tourism on S.B. No. 2707**

The purpose of this measure is to:

- (1) Require the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of the employer's receipt of the exclusive representative's written request to negotiate; and
- (2) Establish that the employer's failure to initiate the negotiation within this time frame, or the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitutes an impasse to which the impasse procedures shall apply.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development and City and County of Honolulu's Department of Human Resources. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that repricing is the reassignment of an existing class to another pay range without changes in duties. Repricing occurs when the class is not in proper alignment with other classes in the same bargaining unit. Your Committee further finds that a class of work is priced or assigned to a pay grade based on a careful and systematic analysis of factors such as knowledge, skills, complexity, supervision received, and contacts, with the goal of creating a pay structure and pay relationships that are equitable for all classes of work by evaluating jobs based on a consistent set of criteria. This measure provides mandatory timeframes within which repricing negotiations must be initiated and an agreement reached, the failure of which would cause impasse procedures to apply.

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 S.B. No. 2707, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2707, 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. 1394-22 Labor & Tourism on S.B. No. 3072**

The purpose of this measure is to identify certain types of alternative investment fund information, the disclosure of which would likely put the Hawaii Employer-Union Health Benefits Trust Fund at a competitive disadvantage, and exempt those categories of information from disclosure under chapter 92F, Hawaii Revised Statutes, consistent with market best practices.

Your Committee received testimony in support of this measure from the Board of Trustees of the Hawaii Employer-Union Health Benefits Trust Fund. Your Committee received testimony in opposition to this measure from Unite Here! Local 5 Hawaii and one individual. Your Committee received comments on this measure from the United States Securities and Exchange Commission's Division of Examinations and the Office of Information Practices.

Your Committee finds that this measure will enable the Hawaii Employer-Union Health Benefits Trust Fund to efficiently 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. This measure provides the Hawaii Employer-Union Health Benefits Trust Fund with the same exemptions from disclosure that were provided for the Employees' Retirement System of the State of Hawaii by Act 71, Session Laws of Hawaii 2021, and codified at section 88-103.5(c) through (e), Hawaii Revised Statutes.

Your Committee has amended this measure by:

- (1) Clarifying that references to the "system" in section 88-103.5(c) and (e) shall be replaced with the "fund" for purposes of the fund's alternative investment; and
- (2) Making technical, 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. 3072, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3072, 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, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 1395-22 Labor & Tourism on S.B. No. 3223**

The purpose of this measure is to impose a penalty on both the person and firm upon finding certain violations governing wages and hours of employees on public work projects.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; and Hawaii Operating Engineers Local 3. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that state law requires that laborers and mechanics performing on-site construction work for any public work project be paid no less than prevailing wages and keep certain hours, subject to conditions. This requirement and others apply to every contract in excess of \$2,000 for public work projects to which a governmental contracting agency is a party, with limited exceptions.

Your Committee further finds that violations of Chapter 104, Hawaii Revised Statutes, result in monetary penalties or suspension against the person or firm found to be in violation. A third violation can result in a suspension from any new work for three years. This measure imposes penalties on the person and firm, and in this manner, prohibits a contractor or other person from avoiding the suspension by simply forming another company.

Your Committee has amended this measure by:

- (1) Deleting the definition of "firm";
- (2) Amending the definition of "person" to include a sole proprietor and the responsible managing employee and holder of the construction license as provided under Chapter 444, Hawaii Revised Statutes; 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. 3223, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3223, 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. 1396-22 Labor & Tourism on S.B. No. 2819**

The purpose of this measure is to:

- (1) Provide automatic step increases in salaries for each year of satisfactory service completed by educational assistants, public school teachers, and principals and vice principals and to increase the amount of time available to teachers for collaboration, preparation, and planning;
- (2) Repeal sections 302A-624(c) and 302A-627(a), Hawaii Revised Statutes, relating to minimum times required for teachers to be elevated from one class to the next and salary ratings of entering or reentering teachers, respectively; and
- (3) Fund experimental modernization projects pursuant to section 78-3.5, Hawaii Revised Statutes, to address compensation equity issues and to make the necessary discretionary salary adjustments for experienced senior public school teachers and state public charter school teachers.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Executive Office on Early Learning, Hawaii Teacher

Standards Board, State Public Charter School Commission, Hawaii State Teachers Association, McKinley High School Special Education Department, Hawaii Association of School Psychologists, Rainbow Family 808, Democratic Party of Hawai'i Education Caucus, Hui for Excellence in Education, and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining, Department of Budget and Finance, and one individual. Your Committee received comments on this measure from the Department of Education; Employees' Retirement System of the State of Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee finds that the recruitment and retention of qualified teachers are essential to the success of Hawaii's public education system. The State continues to face a chronic teacher shortage, which undermines student learning and achievement. Your Committee further finds that research indicates competitive and equitable compensation correlates with greater success in recruiting and retaining qualified educators. Nonetheless, the salaries of experienced senior teachers in the State are aligned with less senior teachers in their placement within existing salary schedules. This measure seeks to address some of the existing salary inequities.

Your Committee has amended this measure by:

- (1) Deleting the teacher effectiveness support system program and related appropriation;
- (2) Deleting references to an experimental modernization project pursuant to section 78-3.5, Hawaii Revised Statutes;
- (3) Adding the Governor and the Board of Education to the entities involved in negotiating a memorandum of understanding to address compensation equity issues and make the necessary discretionary salary adjustments for public school teachers;
- (4) Amending its purpose section accordingly; 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 S.B. No. 2819, 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. 2819, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1397-22 Labor & Tourism on S.B. No. 2820**

The purpose of this measure is to appropriate funds for various teacher differentials to address labor shortages in the areas of special education, hard-to-staff geographic locations, and Hawaiian language immersion programs.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, Executive Office on Early Learning, State Public Charter School Commission, Hawaii Teacher Standards Board, Hawaii State Teachers Association, McKinley High School Special Education Department, Democratic Party of Hawai'i Education Caucus, Rainbow Family 808, Hawaii Association of School Psychologists, Hui for Excellence in Education, Early Childhood Action Strategy, and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Department of Budget and Finance; Employees' Retirement System of the State of Hawaii; and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

Your Committee finds that, although the recruitment and retention of qualified teachers are essential to the success of Hawaii's public education system, the State continues to experience a chronic teacher shortage. This shortage is particularly acute in the areas of special education, hard-to-staff geographic locations, and Hawaiian language immersion. Your Committee believes that applying salary differentials for teachers in these areas will help to incentivize qualified teachers to fill these vacancies, thereby reducing associated labor shortages.

Your Committee has amended this measure by:

- (1) Incorporating the teacher effectiveness support system program from Senate Bill No. 2819, S.D. 2, H.D. 1 (2022), which includes automatic step increases in salaries for each year of satisfactory service completed by educational assistants, public school teachers, and principals and vice principals; increases the amount of time available to teachers for collaboration, preparation, and planning; and provides related funding; and
- (2) Making technical, 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. 2820, 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. 2820, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1398-22 Labor & Tourism on S.B. No. 3209**

The purpose of this measure is to appropriate funds to the Department of Education for fiscal year 2022-2023 for twenty-one additional hours of professional development for teachers.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, Hawai'i Teacher Standards Board, State Public Charter School Commission, Hawaii State Teachers Association, McKinley High School Special Education Department, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that providing professional development for the State's teachers is a vital way to ensure that research-based educational practices are used in the classroom and students are given the best education possible. The negotiated agreement between the Board of Education and the Hawaii State Teachers Association that expired on June 30, 2021, allowed for twenty-one hours of job-embedded professional development. This measure supports a return of those professional development hours by appropriating funds specifically for that purpose.

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 S.B. No. 3209, 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. 3209, S.D. 2, H.D. 1.

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

#### **SCRep. 1399-22 Consumer Protection & Commerce on S.B. No. 3221**

The purpose of this measure is to appropriate funds to support international sister-state relations.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that sister-state relationships are partnerships between governments that facilitate trade and investment opportunities in Hawaii. Your Committee recognizes the important role of sister-state relationships in raising Hawaii's profile internationally; attracting dynamic cooperative programs, such as mutual exchanges in business, culture, tourism, and education; and stimulating the economy. This measure provides funding to leverage existing relationships and activities that will continue to raise Hawaii's international role and forge mutually beneficial partnerships with other countries and cities.

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. 3221, 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. 1400-22 Consumer Protection & Commerce on S.B. No. 3201**

The purpose of this measure is to clarify the application of the general excise tax law with regard to gross income derived from unrelated trade or business activities of nonprofit organizations.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network; HT Hayashi Foundation; Hawai'i Alliance of Nonprofit Organizations; Hawaii Substance Abuse Coalition; Kona Dance & Performing Arts; Sanctuary of Mana Ke'a Gardens; Molokai Arts Center; Outrigger Duke Kahanamoku Foundation; Nā Hale O Maui; Big Brothers Big Sisters Hawaii; PHOCUSED; Hawai'i Pacific Health; Catholic Charities Hawai'i; Association of Fundraising Professionals Aloha Chapter; Hawai'i State Coalition Against Domestic Violence; Hawai'i Public Health Institute; Parents And Children Together; Hawaii Children's Action Network Speaks!; Hawaiian Humane Society; Lāna'i Kinā'ole, Inc.; New Start Discipleship; Hawai'i Forest Industry Association; 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 State's taxation laws are inconsistent in their treatment of the income of nonprofit organizations. A tax-exempt organization's fundraising activities are exempt from federal and Hawaii income taxation, except for income from unrelated trade or business activity. However, income derived from activities whose primary purpose is to produce income, such as fundraising, is taxable under the state general excise tax law. Thus, for certain activities, the income derived from the activity is exempt from income tax but not exempt from the general excise tax. This disparate treatment places additional accounting burdens on nonprofit organizations in the State. This measure aligns the exemption for income of nonprofit organizations under the general excise tax law with the exemption under the income tax law, which will allow nonprofit organizations to streamline their accounting systems.

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. 3201, 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. 1401-22 Consumer Protection & Commerce on S.B. No. 3140**

The purpose of this measure is to:

- (1) Require the holder of a controlled substances registration to immediately and verbally report to the Administrator of the Narcotics Enforcement Division of the Department of Public Safety any suspected theft, embezzlement, fraud, or diversion of a controlled substance in the holder's inventory, and to subsequently submit a written report; and
- (2) Establish a misdemeanor penalty for a person who knowingly prevents another from reporting any suspected theft, embezzlement, fraud, or diversion, or who knowingly fails to provide required information to the Administrator.

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

Your Committee finds that the mandatory reporting requirement in this measure is critical for the timely investigation of the theft, embezzlement, fraud, or diversion of controlled substances in a registrant's inventory. If incidences are not reported in a timely manner and investigated completely, then the suspects involved may illegally use or distribute the controlled substances that were stolen or diverted. This measure will therefore have a positive effect on investigations, monitoring and management of controlled substances, and controlled substance compliance controls.

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. 3140, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3140, 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. 1402-22 Consumer Protection & Commerce on S.B. No. 3141**

The purpose of this measure is to update the Uniform Controlled Substances Act to make it consistent with the federal Controlled Substances Act.

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

Your Committee finds that Hawaii's Uniform Controlled Substances Act provides that if a substance is added, deleted, or rescheduled by an emergency scheduling action taken by the Department of Public Safety or under federal law, then the Department of Public Safety must recommend to the Legislature to

make the corresponding changes in Hawaii law. In 2021, the Department of Public Safety temporarily designated many new controlled substances pursuant to this law, which are listed in this measure. Your Committee further finds that this measure amends the Uniform Controlled Substances Act to mirror recent changes to the federal Controlled Substances Act, thereby eliminating differences between federal and state law and avoiding nullification of the controlled substances that were temporarily designated in 2021.

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. 3141, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3141, 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. 1403-22 Consumer Protection & Commerce on S.B. No. 206**

The purpose of this measure is to prohibit discrimination in rental transactions, including advertisements for rental property, that are based on participation in a Section 8 Housing Choice Voucher Program or any permanent supportive housing program, or requirements related to participation in these housing assistance programs.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Stonewall Caucus of the Democratic Party of Hawaii, Ko'olaupoko Hawaiian Civic Club, American Civil Liberties Union of Hawai'i, AF3IRM Hawai'i, Elizabeth Kahanu Hawaiian Civic Club, and six individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services, Hawai'i Association of REALTORS, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Hawaii State Council on Developmental Disabilities, Hawai'i Civil Rights Commission, Department of Housing and Human Concerns of the County of Maui, Hawai'i State Coalition Against Domestic Violence, Community Alliance Partners, Catholic Charities Hawai'i, Partners In Care, Community Alliance Partners, Hawaii Children's Action Network Speaks!, and two individuals.

Your Committee finds that housing assistance programs like the federal Section 8 Housing Choice Voucher Program are an essential means of alleviating high rental costs for struggling families. However, the Section 8 program relies on private landlords' willingness to rent to participating individuals. In an expensive and limited housing market such as Hawaii, prohibiting discrimination based on source of income will allow supportive housing vouchers or other housing assistance programs to be implemented as intended.

Your Committee further finds that data from other communities show that utilization of housing assistance vouchers increases when there are laws to prevent discrimination against renters with housing vouchers. Your Committee notes that these source of income laws do not alter or restrict standard industry practices to vet prospective renters. Rather, these laws prohibit landlords from rejecting prospective renters who receive Section 8 vouchers or other housing assistance simply because of the voucher or assistance. Low-income individuals and families need additional consumer protections from discriminatory practices to maintain housing stability, which this measure seeks to address.

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. 206, 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. 1404-22 Consumer Protection & Commerce on S.B. No. 2479**

The purpose of this measure is to require each public housing project, dwelling unit, or state low-income housing project that is built, renovated, or reconstructed after January 1, 2023, to include all broadband infrastructure that is necessary for tenants to have access to broadband service.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Council on Developmental Disabilities; Hawaii Public Housing Authority; Common Cause Hawaii; AARP Hawai'i; and Hawaiian Telcom.

Your Committee finds that the COVID-19 pandemic has magnified the need for broadband access for all residents in the State. Broadband access has become a necessity for efficient access to basic amenities including health care, education, public safety, commerce, and government services. Access to broadband is also necessary for work and in daily interactions with others. Your Committee further finds that the need for broadband access is especially evident for residents in public housing units where there are limited broadband options. This measure therefore enables multiple broadband providers to offer low-cost options to these residents.

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. 2479, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2479, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1405-22 Consumer Protection & Commerce on S.B. No. 2504**

The purpose of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords to participate in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937 and appropriate funds for these incentives;
- (2) Require the Hawaii Public Housing Authority to adopt or amend rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and

- (3) Establish and appropriate funds for positions within the Hawaii Public Housing Authority for inspections and other aspects related to dwelling units that are the subject of applications for the Section 8 Housing Choice Voucher Program.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Catholic Charities Hawai'i, Partners In Care, and Hawai'i Association of REALTORS. Your Committee received comments on this measure from the Department of Budget and Finance and Hawaii Public Housing Authority.

Your Committee finds that low-income individuals and families experience great difficulty in finding affordable rentals due to the lack of affordable rental housing units in Hawaii. Your Committee also finds that reimbursement incentives and protections against excessive property damage helps increase the inventory of affordable housing in the State by encouraging more landlords to participate in rental housing voucher programs. Your Committee further finds that a more extensive approach to incentivizing participation in rental housing voucher programs is necessary to effectively address the lack of affordable housing inventory in the State. Incentives that encourage increased landlord participation in and acceptance of the Section 8 Housing Choice Voucher Program will reduce upfront barriers that prohibit low-income individuals and families from accessing rental housing.

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. 2504, 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; Ayes with Reservations (Onishi). Noes, none. Excused, none.

#### **SCRep. 1406-22 Consumer Protection & Commerce on S.B. No. 2284**

The purpose of this measure is to:

- (1) Establish provisions relating to the Department of Agriculture's governing of the business of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as necessary to protect indigenous species;
- (4) Require the Department of Agriculture to prepare programmatic environmental impact reports; and
- (5) Appropriate funds to carry out the purposes of this measure.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau and Hawai'i Aquaculture & Aquaponics Association. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Agriculture, Department of Budget and Finance.

Your Committee finds that diversification of the State's economy is necessary to lessen economic dependence on tourism. The Department of Agriculture indicates that there is tremendous growth potential for the aquaculture industry due to the fact that seafood demand outpaces supply, with world fishery resources quickly being depleted. This measure promotes the State's economic development by enabling the Department to have regulatory authority for aquaculture and provides a pro-development framework that minimizes negative effects on the environment through monitoring and reporting using a science-based approach.

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. 2284, 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. 1407-22 Consumer Protection & Commerce on S.B. No. 2387**

The purpose of this measure is to require agencies to publicly post the justification for cancelling an invitation for bids or request for proposals for a minimum of ten business days on a purchasing agency's website or provider's website or by any other method the procurement officer deems effective for publicizing the cancellation notice.

Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that procurement is a critical function in government. One of the guiding principles of the Hawaii Public Procurement Code is transparency, which ensures openness in the procurement process so all stakeholders have access to information about procurement activities. Your Committee further finds that transparency should not be limited to the awarding of contracts. This measure requires agencies to publicly post the justification for cancelling invitations for bids or requests for proposals, which will promote consistency, transparency, and efficiency in the state procurement process.

Your Committee has amended this measure by:

- (1) Specifying that the justifications for cancellation may be posted on a government electronic notification system, rather than on a provider's website; and
- (2) Making technical, 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. 2387, 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. 2387, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1408-22 Consumer Protection & Commerce on S.B. No. 2823**

The purpose of this measure is to establish and appropriate funds for a Nationally Certified School Psychologist Incentive Program within the Department of Education.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association; Hui for Excellence in Education; Hawai'i Association of School Psychologists; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Psychological Association; and eleven individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Education.

Your Committee finds that school psychologists are integral to meeting students' mental, emotional, and social needs and helping students succeed in the

school environment. The National Association of School Psychologists recommends a ratio of one school psychologist to every five hundred students; however, many school psychologists in the State have a ratio of more than fifteen hundred students.

Your Committee further finds that the establishment of a Nationally Certified School Psychologist Incentive Program will help the State address the critical shortage of accredited school psychologists in public schools and provide students with access to professionals who engage in high quality, evidence-based practices.

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. 2823, 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. 2823, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1409-22 Consumer Protection & Commerce on S.B. No. 3311**

The purpose of this measure is to:

- (1) Establish long-term goals for zero emissions transportation in Hawaii and abroad to reduce and eliminate transportation emissions;
- (2) Establish an Interisland Transportation Working Group to develop plans and recommendations for achieving zero emissions interisland transportation; and
- (3) Require the Department of Transportation and Hawaii State Energy Office to prepare for and incentivize the increased adoption of electric vehicles in the State.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaii Climate Change Mitigation and Adaptation Commission, Ulupono Initiative, Alliance for Automotive Innovation, Big Island Electric Vehicle Association, Hawaiian Airlines, Hawaii Electric Vehicle Association, Hawaii Automobile Dealers' Association, and seven individuals. Your Committee received comments on this measure from the Department of Transportation, Pacific Biodiesel Technologies, Airlines for America, and Hawaiian Electric Company.

Your Committee finds that the transportation sector is the nation's largest source of greenhouse gas emissions and accounts for the largest share of energy sector emissions in Hawaii. Moving public transportation to zero emission technology will have several positive effects, including a reduction greenhouse gas emissions, expansion of the nation's renewable fuels sector, and reduction of the country's reliance on imported oil. Your Committee further finds that a coordinated effort is needed amongst a wide range of stakeholders to continue meaningful progress on clean transportation in Hawaii. This measure promotes the reduction of greenhouse gas emissions for various modes of transportation in the State and supports efforts to increase the adoption of electric vehicles.

Your Committee notes that the airlines industry accounts for a significant portion of the transportation sector in the State. Your Committee recognizes the importance of the airlines industry in the State and believes that representatives of the airlines industry should be invited to participate in the Interisland Transportation Working Group, as part of the invited relevant stakeholders.

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. 3311, 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. 1410-22 Consumer Protection & Commerce on S.B. No. 2274**

The purpose of this measure is to:

- (1) Require all nurses to respond to the Center for Nursing Workforce Supply Survey in conjunction with each license renewal, but does not penalize for failure to do so; and
- (2) Increase the additional Center for Nursing fee from \$40 per licensing biennium to \$60 per licensing biennium.

Your Committee received testimony in support of this measure from the Nancy Atmospera-Walch School of Nursing at the University of Hawai'i at Mānoa, Hawai'i State Center for Nursing, Hawai'i – American Nurses Association, The Queen's Health Systems, and four individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Nursing and Hawaii Association of Nurse Anesthetists.

Your Committee finds that the Center for Nursing's Workforce Supply Survey is the largest and most comprehensive compilation of nursing voices in the State. However, challenges to securing adequate responses to this survey have severely limited the Center's ability to continue to inform policy makers, health care leaders, and others on the availability and characteristics of the nursing workforce in the State. Requiring responses to this survey will improve the Center's ability to aggregate nursing workforce data and provide more accurate information on these issues.

Your Committee further finds that the Center for Nursing is funded through a biennial \$40 fee assessed per individual nurse licensee. The fee has not been adjusted since the Center was established in 2003, and a modest increase is now needed to help the Center sustain the staffing needed to maintain its programs and meet its mandates.

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. 2274, 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. 1411-22 Consumer Protection & Commerce on S.B. No. 2280**

The purpose of this measure is to permit dental assistants to perform limited, essential duties under the general supervision of a licensed dentist in public health settings.

Your Committee received testimony in support of this measure from the Department of Health, Board of Dentistry, Hawai'i Oral Health Coalition, AlohaCare, Hawaii Dental Hygienists' Association, Hawaii Dental Association, and one individual.

Your Committee finds that the State has been making great strides in addressing disparities in oral health care through community-based care delivered in

public settings, such as school-based dental sealant programs and virtual dental home initiatives or teledentistry. However, many Hawaii residents, especially those on the neighbor islands and rural areas of Oahu, continue to face challenges because of the limits placed on oral health providers in public health settings.

Your Committee further finds that existing law prohibits dental assistants from providing auxiliary support except under the direct supervision of a dentist, which hinders the sustainability and viability of dental care programs in public health settings. This measure increases the overall capacity and number of dentists permitted to provide dental services via the community-based oral health models that require general supervision, which will help meet the oral health needs of the State's communities and improve access to dental care for Hawaii residents.

Your Committee has amended this measure by:

- (1) Clarifying that the supervising dentist must be licensed 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. 2280, 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. 2280, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1412-22 Consumer Protection & Commerce on S.B. No. 2482**

The purpose of this measure is to establish the temporary Office of Wellness and Resilience as a semi-autonomous entity within the Office of the Governor to support and implement the statewide framework developed by the Trauma-Informed Care Task Force.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, Executive Office on Early Learning, Early Learning Board, HawaiiKidsCAN, Kamehameha Schools, Hawai'i Community Foundation, Parents And Children Together, Hawaii Children's Action Network Speaks!, National Association of Social Workers Hawai'i Chapter, Early Childhood Action Strategy, and eight individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that early adverse childhood experiences are traumatic experiences that occur during childhood and include physical, emotional, or sexual abuse; chronic neglect; caregiver and household substance abuse; incarceration of a household member; domestic violence; and burdens of economic hardship. Adverse childhood experiences shape the physical architecture of a child's developing brain and can prevent the development of a sturdy foundation for learning, quality health, and positive behavior.

Your Committee further finds that a critical factor in buffering children from the effects of toxic stress and adverse childhood experiences is the existence of supportive, stable relationships between children, their families, caregivers, and other important adults in their lives. While there have been siloed efforts on behalf of state agencies and departments to train the family-serving workforce in trauma-informed care, the Office of Wellness and Resilience established by this measure ensures that the individual reform efforts taken by various agencies to address trauma-informed care will be coordinated and integrated into a statewide framework for trauma-informed care.

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. 2482, 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. 1413-22 Consumer Protection & Commerce on S.B. No. 2635**

The purpose of this measure is to require health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological exams.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawai'i Women Lawyers, and Hawaii Medical Association. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that breast cancer is the most common cancer in American women, except for skin cancers. At this time, a mammogram is the best way to find breast cancer for most women of screening age; however, several studies have shown that women will delay screenings because of high out-of-pocket expenses. Delays in breast cancer diagnosis and treatment can have adverse health outcomes. This measure eliminates a cost impediment to obtain a mammogram by requiring health insurers, mutual benefit societies, and health maintenance organizations to cover a base level of coverage for breast cancer screening, which will help efforts to reduce cancer morbidity and mortality through screening and early detection.

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. 2635, 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. 1414-22 Consumer Protection & Commerce on S.B. No. 2678**

The purpose of this measure is to appropriate funds to the Hawaii State Health Insurance Assistance Program to expand the program by contracting with third-party service providers and staffing consultants and recruiting more volunteers.

Your Committee received testimony in support of this measure from the Executive Office on Aging, AARP Hawai'i, Hawai'i Family Caregiver Coalition, Catholic Charities Hawai'i, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee finds that the federal Medicare program is essential to ensuring health care coverage for older adults and persons having disabilities in the State; however, the rules and procedures of Medicare are complex and difficult to navigate. Your Committee further finds that the Hawaii State Health Insurance Assistance Program, administered by the Department of Health Executive Office on Aging, is staffed by only two full-time federally-funded employees who train a team of over eighty dedicated volunteers to provide specialized assistance to the public free of charge. This assistance includes helping Medicare-eligible individuals and their families and caregivers, and soon-to-be retirees, through objective outreach, counseling, and training make informed health insurance decisions that optimize access to care and benefits. Your Committee also finds that appropriating funds to the Hawaii State Health Insurance Assistance Program will provide stability for and continuity of the program and expand access to important Medicare-related services statewide.



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. 2678, 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. 1415-22 Consumer Protection & Commerce on S.B. No. 2290**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (3) Beginning July 1, 2023, ban the manufacture of non-prescription drug products in the State that contain plastic microbeads;
- (4) Beginning July 1, 2024, ban the sale or offer for sale of non-prescription drugs in the State that contain plastic microbeads; and
- (5) Provide exemptions for rinse-off cosmetics.

Your Committee received testimony in support of this measure from the Department of Health, Rotary Club Hanalei Bay, Surfrider Foundation, Hawai'i Reef and Ocean Coalition, Center for Biological Diversity, Beach Environmental Awareness Campaign Hawai'i, and six individuals. Your Committee received testimony in opposition to this measure from Retail Merchants of Hawaii.

Your Committee finds that plastic microbeads are not filtered out or removed by wastewater treatment facilities and therefore contribute to the increasing flow of plastic into the environment, posing threats to the world's oceans and aquatic life. Additionally, your Committee finds that plastic microbeads are contained in many personal care products and enter the oceans by the billions when they are rinsed off. This measure takes steps to arrest the harmful effects of microbeads on health and the environment by phasing in a ban on the manufacture and sale of leave-on personal care products and non-prescription drug products in the State that contain plastic microbeads.

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. 2290, 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. 2290, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (Har, Kong, Morikawa, Matsumoto). Noes, none. Excused, none.

#### **SCRep. 1416-22 Consumer Protection & Commerce on S.B. No. 2478**

The purpose of this measure is to reinstate the renewable fuels production tax credit, with certain modifications.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawai'i Farm Bureau, Hawai'i Gas, Par Hawaii, Hawaii Clean Power Alliance, and numerous individuals. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest, 350Hawaii.org, Pet Food Institute, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Tax Foundation of Hawaii, and Climate Protectors Hawai'i.

Your Committee finds that renewable fuels provide lower-cost alternative fuels for residential, commercial, and industrial customers. Act 202, Session Laws of Hawaii 2016, established a renewable fuels production tax credit to achieve greater energy security for the State and promote the production of locally grown feedstock; however, the tax credit expired on December 31, 2021. Your Committee recognizes the continuing importance of producing fuel from renewable feedstocks and therefore finds that reinstating the renewable fuels production tax credit will again provide a financial incentive for the production of renewable fuels while also supporting Hawaii's agricultural industry.

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. 2478, 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. 1417-22 Consumer Protection & Commerce on S.B. No. 2511**

The purpose of this measure is to:

- (1) Expand the renewable energy technologies income tax credit to include firm renewable energy systems, with the credit capped at the lesser of a percentage of the actual cost or \$750,000 per system; and
- (2) Make the renewable energy technologies income tax credit unavailable for renewable energy technology systems installed and placed in service after December 31, 2045.

Your Committee received testimony in support of this measure from Hawaiian Electric Company, Par Hawaii, Hawaii Clean Power Alliance, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Taxation, 350Hawaii.org, Our Revolution Hawaii, Recycle Hawaii and Clean the Pacific, and eight individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii State Energy Office, Hawaii Forest Stewards, Tax Foundation of Hawaii, Sustainable Energy Hawai'i, Climate Protectors Hawai'i, and two individuals.

Your Committee finds that the development of utility-scale renewable energy is critical to meeting the State's clean energy and carbon reduction goals. Since the development of firm renewable energy systems requires ample time and a significant outlay of investment and resources, a financial incentive would support the development of more firm renewable energy generation based on local resources and improve the State's energy diversity, reliability, and stability.

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. 2511, 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. 1418-22 Consumer Protection & Commerce on S.B. No. 2570**

The purpose of this measure is to:

- (1) Establish the Zero-Emission Vehicle Fueling System Rebate Program;
- (2) Establish the rebate amount for the installation or upgrade of a hydrogen fueling system;
- (3) Establish a hydrogen fueling system subaccount within the Public Utilities Commission Special Fund; and
- (4) Reduce the allocation that the Energy Systems Development Special Fund receives from the Environmental Response, Energy, And Food Security Tax from 8 cents to 5 cents and allocates the difference to the hydrogen fueling system subaccount.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Hawai'i Energy, Ulupono Initiative, Alliance for Automotive Innovation, Servco, Hawai'i Gas, and one individual. Your Committee received testimony in opposition to this measure from KauaiEV and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Public Utilities Commission, Hawai'i Natural Energy Institute, Hawaii Electric Vehicle Association, and one individual.

Your Committee finds that zero-emission vehicles play an integral role in Hawaii's clean energy future. With the continued adoption of electric vehicles and the development of additional types of zero-emission vehicles such as hydrogen-fueled vehicles, establishing a rebate program for hydrogen fueling systems that parallels the Electric Vehicle Charging System Rebate Program will provide additional clean energy infrastructure and clean mobility solutions for Hawaii residents and visitors.

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. 2570, 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. 1419-22 Consumer Protection & Commerce on S.B. No. 2998**

The purpose of this measure is to require the Department of Health to develop a risk-based selection process to select reports submitted by certain distributors and redemption centers for audit.

Your Committee received testimony in support of this measure from the Department of Health and American Beverage Association.

Your Committee finds that the Office of the Auditor conducts a financial and program audit of the Department of Health's Deposit Beverage Container Program every other year. These audits have demonstrated the program's failure to develop and execute procedures to verify the accuracy and completeness of data used to support claims of the deposit and container fees paid to the program by the distributors, as well as deposits and handling fees paid to the redemption centers. This measure will improve the transparency and accountability of the Deposit Beverage Container Program and help correct program deficiencies.

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. 2998, 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, none.

**SCRep. 1420-22 Consumer Protection & Commerce on S.B. No. 3325**

The purpose of this measure is to:

- (1) Establish the Hawaii Carbon Smart Land Management Assistance Pilot Program to incentivize carbon sequestration activities through incentive contracts that provide compensation for eligible practices;
- (2) Repeal the Carbon Offset Program; and
- (3) Appropriate funds for positions and administration of the Program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, one member of the Hawai'i County Council, Hawai'i Farm Bureau, 350Hawaii.org, Hawai'i Alliance for Progressive Action, The Nature Conservancy - Hawai'i and Palmyra, Hawai'i Gas, Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, 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 Budget and Finance and Department of Agriculture.

Your Committee finds that the State can reduce its contribution to climate change by increasing local food production, improving soil health, securing resilient water sources, and sequestering greenhouse gases through regenerative agriculture and forest preservation. This measure would allow small farmers, ranchers, foresters, landowners, and lessees to be compensated for engaging in practices that increase soil health, reduce carbon emissions, and promote carbon sequestration and storage, thereby contributing to state climate change mitigation efforts.

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. 3325, 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. 1421-22 Consumer Protection & Commerce on S.B. No. 3025**

The purpose of this measure is to establish a program for the licensure, regulation, and oversight of digital currency companies in the State.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation; POW! WOW! Hawaii; FOMO MOFO; Purple Mai'a Foundation; Central Pacific Bank; Blockchain Solutions Hawai'i; Cloud Nalu, LLC; Hawaii Theatre Center; 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 and Grassroot Institute of Hawaii.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation (HTDC) are conducting a two-year pilot program, the Digital Currency Innovation Lab (Innovation Lab), to study digital currency transactions. According to testimony received by HTDC, the Innovation Lab consists of fifteen digital currency companies that totaled over 61,000 Hawaii

resident participants who have collectively transacted hundreds of millions of dollars each calendar quarter during the pilot program. The Innovation Lab has only received ten complaints from participants thus far and is scheduled to expire on June 30, 2022.

Through research conducted through the Innovation Lab, the Division of Financial Institutions learned that the existing regulatory scheme of the money transmitter laws do not comport with the activities conducted by digital currency companies. This measure applies information gained from the Innovation Lab to establish a new licensing framework for the digital currency companies in the State and would allow any company participating in the Innovation Lab on June 30, 2022, to continue operations if a complete licensure application is submitted to the Division of Financial Institutions by March 1, 2023.

Your Committee has amended this measure by:

- (1) Inserting a definition for "control person";
- (2) Substantially clarifying the requirements and parameters of the anti-money laundering program so that the anti-money laundering program is in compliance with the federal Anti-Money Laundering Act of 2020 and any future regulations that may be promulgated by the United States Department of the Treasury's Financial Crimes Enforcement Network;
- (3) Substantially clarifying the requirements of the mandatory cybersecurity program to incorporate cybersecurity related principles from the Federal Financial Institutions Examination Council, and National Institute of Standards and Technology Cybersecurity Framework, among others; 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 S.B. No. 3025, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3025, 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; Ayes with Reservations (Har, Kong). Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1422-22 Consumer Protection & Commerce on S.B. No. 2695**

The purpose of this measure is to establish a Blockchain and Cryptocurrency Task Force.

Your Committee received testimony in support of this measure from Cloud Nalu, LLC; and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Grassroot Institute of Hawaii.

Your Committee finds that, despite the emerging growth and popularity of digital currency, there is little regulation of the industry. As there is vast potential for both the use and regulation of blockchain technology and cryptocurrency, it is in the interests of the State and its consumers to determine whether or how to regulate and provide oversight to the cryptocurrency industry. This measure establishes a Blockchain and Cryptocurrency Task Force, which will assist the State in creating a master plan to explore the use of blockchain and cryptocurrency in Hawaii.

Your Committee has amended this measure by:

- (1) Amending the membership of the Blockchain and Cryptocurrency Task Force by:
  - (A) Reducing the number of members from the Legislature from three state senators and three state representatives to one state senator and one state representative, who shall serve as the co-chairpersons of the Task Force;
  - (B) Deleting the language that restricted the political party of the members from the Legislature;
  - (C) Specifically adding the Commissioner of Financial Institutions, or the Commissioner's designee, as a member of the Task Force;
  - (D) Clarifying that the professor from the University of Hawaii is to be appointed by the President of the University of Hawaii, rather than the Governor; and
  - (E) Adding a representative of the blockchain or cryptocurrency security community and a representative of the blockchain or cryptocurrency legal community, who shall each be appointed by the Governor;
- (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 the Department of Commerce and Consumer Affairs raised concerns in its testimony before your Committee that the Department lacks the available funding to reimburse task force members for any travel expenses. Your Committee respectfully requests that your Committee on Finance, should it deliberate on this measure, give consideration to these funding concerns raised by the Department.

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. 2695, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2695, 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, 2 (Hashem, Mizuno).

#### **SCRep. 1423-22 Consumer Protection & Commerce on S.B. No. 2076**

The purpose of this measure is to:

- (1) Establish the Hawaii Broadband Infrastructure Authority;
- (2) Clarify the Hawaii Broadband and Digital Equity Office's role relating to broadband access and digital equity, including repealing the responsibility of the Office to promote the landing of trans-Pacific submarine cable; and
- (3) Appropriate federal and state funds.

Your Committee received testimony in support of this measure from the Department of Health; Hawaii Community College; Hawaii State Council on Developmental Disabilities; Office of the Enterprise Technology Services; Disability and Communication Access Board; State Council on Mental Health; Common Cause Hawaii; Maui Chamber of Commerce; Auamo Collaborative; Quad D Solutions; Crystal Clear Communications; HawaiiKidsCAN; Purple Mai 'a; Skog Rasmussen LLC; Banyan Networks; O 'ahu County Democrats Digital Equity Committee; AlohaCare; Solutions Pacific; 'A 'ali 'i Alliance; Economic Development Alliance of Hawaii, Inc.; 3Red8, Inc.; and four individuals. Your Committee received testimony in opposition to this measure from CTIA. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of

Commerce and Consumer Affairs; Department of Budget and Finance; Department of Transportation; University of Hawai'i System; Charter Communications; Hawaiian Telcom; Crown Castle; and one individual.

Your Committee finds that the coronavirus disease 2019 pandemic brought to light the need for broadband infrastructure and digital equity throughout the State. Your Committee also finds that the federal government has identified having robust broadband infrastructure as a priority and has dedicated funding for digital equity programs across the country. This measure would plan for the ideal use of expected federal funding, thereby allowing the State to better provide broadband services to all its residents.

Your Committee further finds that it is important for Hawaii to address broadband access, affordability, and adoption, and build resilient broadband infrastructure for the State. This measure also clarifies the role of the Hawaii Broadband and Digital Equity office so the Office can continue to provide the focus, coordination, and facilitation of programs for Hawaii residents to connect to the digital tools needed to be successful in today's modern society.

Your Committee has amended this measure by:

- (1) Clarifying that the Hawaii Broadband Infrastructure Authority may coordinate and oversee the development of advanced communications technology infrastructure;
- (2) Clarifying that the Authority shall indemnify members of the Hawaii Broadband Infrastructure Authority Board from any personal liability resulting from their role as a member of the Board;
- (3) Specifying that members of the Authority shall file an annual conflict of interest disclosure form with the Executive Director of the Authority; 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 S.B. No. 2076, 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. 2076, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1424-22 Consumer Protection & Commerce on S.B. No. 2385**

The purpose of this measure is to authorize a purchasing agency to submit a request for alternative procurement approval from the Chief Procurement Officer or Chief Procurement Officer's designee if fewer than three qualified persons respond to a solicitation.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, University of Hawai'i System, Department of Budget and Fiscal Services of the City and County of Honolulu, and Department of Finance of the County of Kaua'i. Your Committee received testimony in opposition to this measure from the American Institute of Architects Hawaii State Council; Community Planning and Engineering, Inc.; Shigemura, Lau, Sakanashi, Higuchi and Associates, Inc.; The Limtiaco Consulting Group; Ronald N.S. Ho and Associates, Inc.; CONSOR Engineers, LCC; Yogi Kwong Engineers, LLC; Gray, Hong, Nojima and Associates, Inc.; American Council of Engineering Companies of Hawaii; Hart Crowser; Mason Architects, Inc.; and three individuals. Your Committee received comments on this measure from the Department of Transportation and State Procurement Office.

Your Committee finds that the administrative rules adopted by the Procurement Policy Board previously provided for an alternative in situations when less than three qualified persons responds to a professional services notice. However, this alternative was repealed in 2016 as a result of a Hawaii Supreme Court decision. As a result, agencies must broaden or reduce the scope of work in the notices and repeatedly resolicit until more responses are received. This measure provides state agencies with more timely alternatives to complete procurement of professional services when there are fewer than three qualified submissions.

Your Committee has amended this measure by:

- (1) Authorizing agencies to seek an exemption from the procurement process, rather than a request for an alternate procurement approval process; and
- (2) Making technical, 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. 2385, 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. 2385, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Har, Onishi). Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1425-22 Consumer Protection & Commerce on S.B. No. 3040**

The purpose of this measure is to:

- (1) Create a State Procurement Automation System Special Fund;
- (2) Authorize the Administrator of the State Procurement Office to develop and administer procurement automation systems and charge and collect a transaction fee from all vendors using the procurement automation systems;
- (3) Delete language regarding qualified community rehabilitation programs made redundant by Act 55, Session Laws of Hawaii 2021; and
- (4) Establish five full-time equivalent positions in the State Procurement Office.

Your Committee received testimony in support of this measure from the Highways Division of the Department of Transportation, State Procurement Office, and Hawaii State Council on Developmental Disabilities. Your Committee received testimony in opposition to this measure from the Hawai'i Alliance of Nonprofit Organizations. Your Committee received comments on this measure from the Department of Budget and Finance and Tax Foundation of Hawaii.

Your Committee finds that the State Procurement Office has digitized its processes and conducted business online to improve its level of customer service and seeks to transition to an online procurement automation system as a self-funded model to stay on par with industry standards. Procurement automation systems are accounting-oriented, multi-module, data-based systems that integrate all procurement activities from solicitation to contract management. Your Committee further finds that establishing self-funded procurement automation systems in Hawaii will maximize the administrative efficiency and resources of the State Procurement Office by paying for the development, implementation, legacy transition, maintenance, system training, configuration, and management of these systems.

Your Committee also finds that funding for additional positions will greatly benefit the State Procurement Office and will aid in the management of procurement automation systems and allow the Office to address the need for additional oversight of complex procurement issues, as recommended by the Special Committee on State of Hawaii Procurement.

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. 3040, 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, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1426-22 Consumer Protection & Commerce on S.B. No. 3369**

The purpose of this measure is to:

- (1) Establish a working group to develop a plan for the phased in consolidation of procurement services and staff within executive branch agencies within a five-year timespan, excluding the Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs;
- (2) Require the working group to make recommendations for attracting high-quality procurement professionals to the State; and
- (3) Appropriate funds to the State Procurement Office to support the activities of the working group.

Your Committee received comments on this measure from the Department of Budget and Finance and State Procurement Office.

Your Committee finds that procurement activities throughout the State may not be compliant with applicable procurement laws and administrative rules. Your Committee further finds that few executive branch departments have procurement or purchasing specialists, which can lead to mistakes resulting in increased costs to the government. The working group established by this measure will increase the competency and expertise, efficiency, and transparency in the public procurement process by studying and developing a responsible plan for the phased in consolidation of certain executive branch procurement services and staff, taking into account the unique aspects of procurement for each department.

Your Committee notes that the Department of Education operates as its own procurement jurisdiction and has its own Procurement and Contracts Branch for goods and services, Facilities and Operations Branch for construction, and School Food Services for meal programs. Your Committee further notes that procurement for the Department of Education is highly specialized as each school as its own unique needs for its students and the Department is better suited in handling all aspects of procurement for the Department of Education.

Accordingly, your Committee has amended this measure by:

- (1) Inserting language excluding the Department of Education from the requirements of this measure;
- (2) Clarifying that the single executive or chairperson of the executive board, as the case may be, of each principal executive branch, or their designees, shall be members of the working group;
- (3) Specifying that the reports to the Legislature include plans for the development and implementation of a multi-tiered certified training program and implementation of a procurement automation system; 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 S.B. No. 3369, 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. 3369, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1427-22 Consumer Protection & Commerce on S.B. No. 3372**

The purpose of this measure is to authorize, where it is determined that a solicitation or award of a contract is in violation of law, the government contract to be rescinded and awarded to the next lowest responsive, responsible bidder to whom the contract would have been awarded were it not for the violation of law.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that under existing law, when the Office of Administrative Hearings determines that a public works contract was improperly awarded, the Office's only remedy is to terminate the contract. Terminating the contract delays the procurement process, as a department must then re-issue the solicitation. This measure is intended to ensure a fair process and prevent further delays by expanding the remedial powers of the Office of Administrative Hearings in situations where an award of a contract is in violation of the law.

Your Committee has amended this measure by:

- (1) Clarifying that the ability of the Office of Administrative Hearings to terminate a contract applies only if the award, not the solicitation, is in violation of law;
- (2) Specifying the requirements for such a contract to be awarded, based on whether the solicitation was issued pursuant to the competitive sealed bidding process or competitive sealed proposal process; 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. 3372, 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. 3372, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1428-22 Consumer Protection & Commerce on S.B. No. 2644**

The purpose of this measure is to:

- (1) Extend until June 30, 2033, the limited exemption from licensing requirements for qualified electricians that was originally enacted by Act 65, Session

Laws of Hawaii 2013, and extended pursuant to Act 60, Session Laws of Hawaii 2018; and

- (2) Make permanent the requirement for the Board of Electricians and Plumbers to submit reports to the Legislature relating to high voltage electrical work.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, International Brotherhood of Electrical Workers Local Union 1260, and Land Use Research Foundation of Hawaii. Your Committee received testimony in opposition to this measure from the Board of Electricians and Plumbers, Contractors License Board, and International Brotherhood of Electrical Workers Local Union 1186.

Your Committee finds that the electrical infrastructure of the State is aging. The construction and maintenance of the State's electrical infrastructure require specialized high voltage workers. Your Committee notes that there continues to be debate about whether there is a shortage of electricians, splicers, and linemen in the State who are experienced and qualified to work with high voltage (six hundred volts or higher) and who can perform certain complex maintenance and repair work affecting an electric utility.

Your Committee also finds that high voltage electric utility workers are in high demand throughout the country and there may be times when it is necessary for an electric utility to contract and retain qualified personnel from other jurisdictions in the United States to perform high voltage work. To address this ongoing situation, this measure extends the limited exemption to the licensing requirements for certain individuals qualified to perform high voltage utility work. However, your Committee notes the concerns raised in testimony that this measure may be overly broad. Amendments to this measure are therefore necessary to limit the scope and applicability of the exemption.

Your Committee has amended this measure by:

- (1) Deleting substation work as a category of work for which high voltage electrical workers are eligible for the exemption;
- (2) Extending the sunset date for the exemption to June 30, 2028, rather than June 30, 2033; 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. 2644, 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. 2644, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Har, Kong). Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1429-22 Consumer Protection & Commerce on S.B. No. 3126**

The purpose of this measure is to:

- (1) Require the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector;
- (2) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors who are in the exclusive employment of an owner-user inspection organization to perform safety inspections of pressure retaining items; and
- (3) Extend the time by which the Director of Labor and Industrial Relations is required to reimburse the general fund for the initial appropriation made to the Boiler and Elevator Revolving Fund.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaiian Electric Company, and Par Hawaii.

Your Committee finds that under existing law, the operation and use of pressure retaining items are regulated by the Department of Labor and Industrial Relations and are required to be inspected in various circumstances. Your Committee further finds that the National Board of Boiler and Pressure Vessel Inspectors permits an owner-user inspection organization to establish and maintain an inspection program as long as the organization and inspection program complies with certain requirements. This measure aligns existing law with the practice of the National Board of Boiler and Pressure Vessel Inspectors to allow inspections of pressure retaining items by owner-user inspection organizations, which will augment the Department's ability to inspect and assure the safe operation and use of pressure retaining items in the State.

This measure also provides additional time for the Director of Labor and Industrial Relations to reimburse the general fund from the Boiler and Elevator Revolving Fund, thereby allowing more flexibility to fund boiler and elevator safety operations while maintaining a feasible repayment schedule.

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. 3126, 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. 3126, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1430-22 Consumer Protection & Commerce on S.B. No. 3128**

The purpose of this measure is to amend the definition of "adequate reserve fund" for calendar years 2023 through 2030 to exclude the benefit cost rate from June 2020 through August 2021.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Maui Chamber of Commerce, and Hawaii Food Industry Association. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that the Adequate Reserve Fund is a benchmark for solvency of the Unemployment Compensation Trust Fund that is calculated based on the highest benefit cost rate multiplied by the total wages for the last completed fiscal year ending June 30. Your Committee further finds that unless the calculation of the Adequate Reserve Fund is statutorily amended, it will include the unprecedented period of unemployment in Hawaii and rapid depletion of Unemployment Compensation Trust Fund funds caused by the coronavirus disease 2019 (COVID-19) pandemic.

This measure will allow contributory employers to replenish the Unemployment Compensation Trust Fund and help to reestablish the fund's integrity without facing the highest contribution schedules in future years as Hawaii's economy continues to recover from the COVID-19 pandemic.

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. 3128, 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. 3128, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

**SCRep. 1431-22 Consumer Protection & Commerce on S.B. No. 3129**

The purpose of this measure is to appropriate funds to the Unemployment Compensation Trust Fund as a cash infusion for the fund.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Retail Merchants of Hawaii, and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance and Parents And Children Together.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic created an unprecedented period of unemployment in Hawaii and rapid depletion of Unemployment Compensation Trust. An infusion of funds into the Unemployment Compensation Trust Fund is therefore needed to provide some relief to employers still recovering from the effects of the COVID-19 pandemic.

Your Committee has amended this measure 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. 3129, 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. 3129, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

**SCRep. 1432-22 Consumer Protection & Commerce on S.B. No. 3142**

The purpose of this measure is to add reserve public safety law enforcement officers to the volunteer occupations covered by the workers' compensation law under certain conditions.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and Department of Public Safety.

Your Committee finds that the Department of Public Safety is poised to begin a volunteer enforcement program to recruit the Department's recent retirees and members of the public to assist the Department with its law enforcement responsibilities. Under this program, volunteer safety law enforcement officers will be trained to the same standard as its full-time officers. Your Committee notes that law enforcement work can be dangerous and there is the possibility that the volunteer public safety reserve officers recruited by the Department could be injured while volunteering. This measure will provide coverage for these volunteers for injuries under specified conditions when incurred in the line of duty.

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. 3142, 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. 3142, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

**SCRep. 1433-22 Consumer Protection & Commerce on S.B. No. 3289**

The purpose of this measure is to establish a state-facilitated payroll-deduction retirement savings plan for private sector employees in Hawaii who do not have access to employer-sponsored retirement plans.

Your Committee received testimony in support of this measure from Common Cause Hawaii; Hawaii Primary Care Association; Policy Advisory Board for Elder Affairs; Catholic Charities Hawaii 'i; AARP Hawaii 'i; Adult Foster HomeCare Association of Hawaii; Alliance of Residential Care Administrators; Hawaiian Community Assets; Hawaii Community Lending; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawaii 'i Public Health Institute; Maui Chamber of Commerce; National Conference on Public Employee Retirement Systems; and numerous individuals. Your Committee received testimony in opposition to this measure from the American Council of Life Insurers, National Association of Insurance and Financial Advisors Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Budget and Finance, Department of Human Services, Executive Office on Aging, Tax Foundation of Hawaii, and Retail Merchants of Hawaii.

Your Committee finds that Hawaii's population is rapidly aging and, in comparison to the rest of the United States, the population aged eighty-five or older will grow rapidly through 2035. Although many in the State are fortunate to work and earn enough money to invest in long-term care insurance, or have an employer that invests in a retirement program, others do not have access to employer-sponsored retirement plans. This is of particular concern as Hawaii has one of the highest costs for nursing home care in the United States. This measure will ensure that Hawaii's workers who do not have an employer-sponsored retirement plan will be able to save enough to retire with financial security.

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. 3289, 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, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

**SCRep. 1434-22 Consumer Protection & Commerce on S.B. No. 2032**

The purpose of this measure is to protect the privacy and confidentiality of genetic data of consumers who use the products or services of direct-to-consumer genetic testing companies by requiring these companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Office of Hawaiian Affairs. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Coalition for Genetic Data Protection.

Your Committee finds that as the number of companies offering direct-to-consumer genetic tests grows, serious concerns about the privacy of consumers'

genetic information have arisen. Outside of state and federal health privacy laws, which generally do not apply to direct-to-consumer genetic testing companies, there is little oversight or regulation of what these companies may do with the genetic material collected. This measure ensures a consumer's genetic information privacy is protected by establishing certain express consent requirements pertaining to the collection, use, and disclosure of genetic data by direct-to-consumer genetic testing companies.

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. 2032, S.D. 2, 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, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1435-22 Consumer Protection & Commerce on S.B. No. 2276**

The purpose of this measure is to make comprehensive updates to the statutory provisions regarding acupuncture practitioners to reflect modernized scopes of practice and licensing requirements.

Your Committee received testimony in support of this measure from the Board of Acupuncture; Hawaii Acupuncture Association; Rubin Enterprises, LLC; AcuPlan Hawaii; Institute of Clinical Acupuncture and Oriental Medicine; Longevity Health Center; American Acupuncture Council; Pain Free Kauai; OceanMed Integrative Health Center; Kailua Acupuncture Clinic; and numerous individuals. Your Committee received testimony in opposition to this measure from the American Academy of Medical Acupuncture, Hawaii Medical Association, Lifestyle Medical Center, and four individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that acupuncture is one of the fastest growing fields in American health care, leading to a growing demand for acupuncturists. Your Committee further finds that a number of Hawaii's existing laws regulating the practice of acupuncture have not been updated in over twenty years and do not reflect the current state of acupuncture practice, particularly in the areas of national certification standards and expanded accredited educational programs. This measure amends Hawaii's laws regulating the practice of acupuncture to reflect modernized scopes of practice and licensing requirements.

Your Committee has amended this measure by:

- (1) Clarifying language that declares the necessity for regulation and control of acupuncture medicine to state that the practice of acupuncture medicine requires regulation and control as an essential service for public health, safety, and welfare; and
- (2) Making technical, 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. 2276, 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. 2276, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1436-22 Consumer Protection & Commerce on S.B. No. 2375**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Department of Human Services, to develop and establish a social work training program to assist nonviolent incarcerated individuals to explore a professional pathway in social work and become eligible to work as assistants to licensed social workers; and
- (2) Appropriate funds to develop and establish the program.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Hawai'i Health and Harm Reduction Center, National Association of Social Workers - Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, Department of Human Services, and Department of Public Safety.

Your Committee finds that Hawaii is facing a shortage of social workers to help people in the State manage their mental health and cope with stressors in their everyday lives. This shortage is of concern, as demand for services will likely increase as a result of the coronavirus disease 2019 pandemic and its aftermath. Your Committee further finds that some nonviolent incarcerated individuals may be uniquely qualified to enter the field of social work as assistants. This measure will encourage incarcerated nonviolent individuals, who may have valuable life experience interfacing with social service organizations, to train and pursue employment opportunities in the area of social work, which may help with these individuals' successful reentry into the community.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Public Safety and Department of Human Services are to jointly submit a report on their progress in developing and establishing the social work training 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. 2375, 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. 2375, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1437-22 Consumer Protection & Commerce on S.B. No. 2624**

The purpose of this measure is to establish and fund:

- (1) A Telehealth Pilot Program to provide telehealth medical services in two distinct project sites in medically underserved areas; and
- (2) A Rural Health Care Pilot Program to assist residents in three distinct rural areas, one each on the islands of Maui, Molokai, and Lanai.

Your Committee received testimony in support of this measure from the Department of Health, John A. Burns School of Medicine at the University of Hawai'i at Mānoa, Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Primary Care Association,



Hawaii Medical Association, Hawaii Substance Abuse Coalition, The Queen's Health Systems, Hawaii Psychiatric Medical Association, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance, State Council on Mental Health, and Hawai'i State Center for Nursing.

Your Committee finds that there is an ongoing shortage of primary, specialty, and behavioral health care providers in the State, which leaves many Hawaii residents, particularly elderly and rural residents, unable to obtain timely and appropriate health care and behavioral health care services. Your Committee further finds that although telehealth is a viable solution for maximizing existing local resources and increasing patient convenience and compliance, no more than fifteen percent of practicing providers in Hawaii report a telehealth experience.

The pilot programs established by this measure will help improve the quality and availability of health care in rural and medically underserved areas in the State by encouraging an increase in the use of telehealth by providers. This measure also offers an incentive, in the form of an availability fee, to health care professionals who practice in certain specialties in rural areas.

Your Committee has amended this measure by:

- (1) Removing the procurement exemptions of the Telehealth Pilot 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. 2624, 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. 2624, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1438-22 Consumer Protection & Commerce on S.B. No. 3248**

The purpose of this measure is to appropriate funds to purchase one advanced life support ambulance and related equipment, to be based on the island of Molokai, and pay-related personnel costs for state-certified emergency medical services personnel.

Your Committee received testimony in support of this measure from one member of the Maui County Council, The Queen's Health Systems, Hāna Health, and two individuals. Your Committee received comments on this measure from the Department of Health and Department of Budget and Finance.

Your Committee finds that Molokai currently has only one ambulance to provide emergency medical services to the island's population of over seven thousand residents. Emergency medical services personnel on Molokai must often travel long distances or navigate difficult terrain when responding to calls or transporting patients which, when coupled with adverse weather conditions, can significantly affect response and transport times. This measure will help remediate the disparities in access to trauma care for rural and medically vulnerable communities on Molokai and ensure timely access to trauma treatment.

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. 3248, 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. 3248, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1439-22 Consumer Protection & Commerce on S.B. No. 2196**

The purpose of this measure is to:

- (1) Prohibit the issuance, after January 1, 2023, of a building permit for any new multi-family residential building that has ten or more parking stalls, unless those stalls are electric vehicle charger ready; and
- (2) Require cooperative housing corporations, homeowners associations, planned community associations, and condominium associations to develop plans to incorporate zero-emissions infrastructure, including electric vehicle charging systems, onto any of its residential properties that are constructed after January 1, 2023.

Your Committee received testimony in support of this measure from the Hawaii Climate Change Mitigation and Adaptation Commission, Hawaii State Energy Office, Pearl City Neighborhood Board No. 21, 350Hawaii.org, Hawai'i Electric Vehicle Association, Big Island Electric Vehicle Association, KauaiEV.org, Alliance for Automotive Innovation, Hawaiian Electric Company, Tesla, and eleven individuals. Your Committee received testimony in opposition to this measure from Gentry Homes, Ltd.; D.R. Horton Hawaii LLC; NAIOP Hawaii; Building Industry Association of Hawaii; and one individual. Your Committee received comments on this measure from the Community Associations Institute and Associa.

Your Committee finds that electric vehicles play an integral role in Hawaii's clean energy future. To support the continued adoption of electric vehicles, this measure ensures the incorporation of planning for necessary electric vehicle charging infrastructure at the earliest stages in order to minimize costs and the need for retrofitting.

Your Committee has amended this measure by:

- (1) Clarifying that cooperative housing corporations, homeowners associations, planned community associations, and condominium associations are to develop plans to incorporate electric vehicle charging systems, rather than any zero-emission vehicle infrastructure, onto any of its residential properties that are newly constructed after 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. 2196, 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. 2196, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 5; Ayes with Reservations (Matsumoto). Noes, 4 (Har, Kong, Morikawa, Onishi). Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1440-22 Consumer Protection & Commerce on S.B. No. 2474**

The purpose of this measure is to require the Public Utilities Commission to establish reliability standards and interconnection requirements for renewable

energy projects and community-based renewable energy projects.

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, and Hawaii Clean Power Alliance.

Your Committee finds that delays in completing the process of interconnecting renewable energy projects to the electric grid make it difficult to plan for the design and construction of utility-scale renewable energy projects. By requiring the Public Utilities Commission to adopt reliability standards and interconnection requirements, this measure will facilitate more timely interconnection and operation of utility-scale renewable energy projects.

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. 2474, 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, 9; Ayes with Reservations (Har, Kong, Onishi). Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1441-22 Consumer Protection & Commerce on S.B. No. 2483**

The purpose of this measure is to require the Hawai'i Natural Energy Institute to evaluate the benefits and costs of dispatching renewable energy resources considering the context of ongoing state energy planning efforts.

Your Committee received testimony in support of this measure from the Hawaii Clean Power Alliance and thirteen individuals. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company. Your Committee received comments on this measure from the Hawaii State Energy Office and Hawai'i Natural Energy Institute of the University of Hawai'i at Mānoa.

Your Committee finds that the successful deployment of renewable energy projects is integral to the State achieving the renewable portfolio standard of one hundred percent renewable energy by 2045. Your Committee further finds that the development and dispatch of multiple renewable energy sources should be evaluated and aligned with ongoing state energy planning efforts.

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. 2483, 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, 9; Ayes with Reservations (Kong). Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1442-22 Consumer Protection & Commerce on S.B. No. 2510**

The purpose of this measure is to amend the Hawaii State Planning Act to give consideration to:

- (1) Reducing reliance on energy imports;
- (2) Ensuring that all new utility scale electricity generation projects are renewable;
- (3) Balancing of grid resources, including firm renewable energy resources, to achieve certain goals and targets;
- (4) Ensuring reliable replacement of fossil fuel generation with balanced grid resources;
- (5) Prohibiting fossil fuel generation after December 31, 2045, except in certain circumstances; and
- (6) Expanding vocational training in renewable energy and related industries.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Sustainable Energy Hawai'i; International Longshore and Warehouse Union, Local 142, Local 100, and Hawaii Longshore Division; Environmental Caucus of the Democratic Party of Hawai'i; Pacific Biodiesel Technologies; and numerous individuals. Your Committee received testimony in opposition to this measure from Our Revolution Hawaii, Climate Protectors Hawai'i, Recycle Hawaii and Clean the Pacific, 350Hawaii.org, and fourteen individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Office of Planning and Sustainable Development, Hawaii Forest Stewards, Ulupono Initiative, Hawaii Clean Power Alliance, Hawaiian Electric, and two individuals.

Your Committee finds that there is an increasing need to develop an array of renewable energy sources to meet the State's goal of one hundred percent renewable energy by 2045. Your Committee further finds that incorporating certain considerations into state energy planning will provide a framework for the State to achieve its clean energy goals through a well-balanced portfolio of reliable, resilient, and affordable sources of energy.

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. 2510, 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, 9; Ayes with Reservations (Kong). Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1443-22 Consumer Protection & Commerce on S.B. No. 2720**

The purpose of this measure is to:

- (1) Allow for new or upgraded electric vehicle charging stations having a single port to qualify for a rebate under the Electric Vehicle Charging Station Rebate Program;
- (2) Increase flexibility of the Public Utilities Commission to administer the Electric Vehicle Charging Station Rebate Program;
- (3) Increase the maximum percentage of Electric Vehicle Charging Station Rebate Program appropriations that may be expended for administrative costs; and
- (4) Allow for marketing and outreach expenses to be included within allowable administration costs of the Rebate Program.

Your Committee received testimony in support of this measure from the Public Utilities Commission; Department of Transportation; Hawaii State Energy Office; Office of Economic Development of the County of Kaua'i; Department of Design and Construction of the City and County of Honolulu; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; Pearl City Neighborhood Board No. 21; Ulupono Initiative; Kauai Women's Caucus; KauaiEV; 350Hawaii.org; Hawaii Electric Vehicle Association; Big Island Electric Vehicle Association; Hawaii Automobile Dealers' Association; Alliance for Automotive Innovation; Blue Planet Foundation; Environmental Caucus of the Democratic Party of Hawai'i; Building Owners and Managers Association of Hawai'i; Hawaiian Electric Company; Retail Merchants of Hawaii; and eight individuals. Your Committee received comments on this measure from Hawai'i Energy.

Your Committee finds that continuation of the Electric Vehicle Charging System Rebate Program is critical to widespread adoption of electric vehicles in the State. To ensure that the program is keeping pace with market and technology changes, periodic adjustments may be needed to help ensure that the program is adequately deploying rebates to priority locations and making the purchase of an electric vehicle affordable for low- and moderate-income working families. Your Committee further finds that by expanding rebate eligibility to a wider variety of electric vehicle charging systems and providing the Public Utilities Commission with greater flexibility in administering the program, this measure will increase program participation and accelerate charging system deployment.

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. 2720, 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, 9. Noes, none. Excused, 2 (Hashem, Mizuno).

#### **SCRep. 1444-22 Consumer Protection & Commerce on S.B. No. 1105**

The purpose of this measure is to amend the Secure and Fair Enforcement for Mortgage Licensing Act by:

- (1) Modifying when a person aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator company licensee may be paid by the Mortgage Loan Recovery Fund to be upon final judgment, rather than by order, of a court;
- (2) Repealing Mortgage Loan Recovery Fund fees for mortgage loan originator companies and their branch locations; and
- (3) Authorizing the Commissioner of Financial Institutions to consider applications for recovery from the Mortgage Loan Recovery Fund, as an alternative to judicial proceedings.

Your Committee received testimony in support of this measure from the Commissioner of Financial Institutions.

Your Committee finds that the Secure and Fair Enforcement for Mortgage Licensing Act allows a person aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator company licensee to be paid from the Mortgage Loan Recovery Fund upon the order of a court. To obtain such an order, the aggrieved person must, among other things, obtain a judgment stating the amount owed and make all reasonable efforts to recover the amount of the judgment from the judgment debtor. This process has been sluggish, typically taking eight to twelve months before a court orders the Division of Financial Institutions of the Department of Commerce and Consumer Affairs to pay the restitution. This measure modifies this process to allow for more expedient payment to aggrieved persons by allowing applications for payments from the Mortgage Loan Recovery Fund to be submitted to the Commissioner of Financial Institutions, who may grant the applications without an order by a court.

Your Committee further finds that existing funds in the Mortgage Loan Recovery Fund are sufficient to make restitution payments to aggrieved persons. As such, there no longer is a need to continue the assessments on mortgage loan originator companies and their branches to fund the Mortgage Loan Recovery Fund.

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. 1105, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1105, 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, 4 (Kitagawa, Hashem, Mizuno, Matsumoto).

#### **SCRep. 1445-22 Consumer Protection & Commerce on S.B. No. 1211**

The purpose of this measure is to avoid a conflict with federal law by repealing the exemption for certain vehicles used by farmers from the Motor Carrier Safety Law.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawai'i Farm Bureau.

Your Committee finds that the federal Moving Ahead for Progress in the 21st Century Act allows the withholding of federal funds to states that fail to adopt the covered farm vehicle exemption under various classes of laws regarding motor vehicles. In its analysis of the State's laws, the Federal Motor Carrier Safety Administration determined that the State's existing exemption for vehicles used by farmers from the Motor Carrier Safety Law is in conflict with the federal covered farm vehicle exemption. As a result, the State is in jeopardy of losing federal funds that provide assistance to the State in carrying out its commercial motor vehicle safety program. This measure repeals the existing exemption for vehicles used by farmers and allows the State to align its exemption with the covered farm vehicle exemption as required by the federal Moving Ahead for Progress in the 21st Century Act.

Your Committee notes its intent and expectation that the Department of Transportation will work with farmers to ensure the successful transition to the new federal exemption and ensure the farmers have a safe harbor in the interim.

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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1211, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1211, 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, 2 (Kitagawa, Mizuno).

#### **SCRep. 1446-22 Consumer Protection & Commerce on S.B. No. 3373**

The purpose of this measure is to clarify the deadline for submitting written protests that are based on the content of a solicitation.

Your Committee received testimony in support of this measure from the State Procurement Office and Nan, Inc. Your Committee received testimony in opposition to this measure from the Department of Accounting and General Services, Department of Budget and Fiscal Services of the City and County of Honolulu, and General Contractors Association of Hawaii.

Your Committee finds that the existing law is potentially confusing as to the deadline for submitting written protests that are based on the content of a solicitation. Your Committee further finds that this measure will clearly outline the deadline for written protests.

Your Committee has amended this measure by specifying that a protest of an award shall be submitted in writing within five working days after the posting of an award of a contract for professional services, if no request for debriefing has been made.

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. 3373, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3373, 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, 2 (Kitagawa, Mizuno).

#### **SCRep. 1447-22 Government Reform on S.B. No. 665**

The purpose of this measure is to:

- (1) Establish that knowingly or intentionally providing false information concerning the name or address of a person paying for a campaign advertisement is a class C felony;
- (2) Increase from four years to ten years the period during which a person convicted of a criminal violation of campaign finance law shall be disqualified from holding elective office;
- (3) Establish that the exercise of enforcement authority by the Attorney General or Prosecuting Attorney may be the basis for prosecution of campaign finance law violations; and
- (4) Repeal certain exemptions from criminal prosecution for campaign finance violations.

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

Your Committee finds that campaign advertisements that contain false information regarding who is paying for the advertisement impairs public transparency in the electoral process. Your Committee further finds that intentionally making the false reporting of the name and address of the person paying for the campaign advertisement a felony will deter such conduct.

Your Committee has amended this measure by:

- (1) Reverting to statutory language regarding fines for violations that lack required information or provide prohibited information;
- (2) Clarifying that the class C felony offense established by this measure is for intentionally, rather than knowingly or intentionally, providing false information; and
- (3) Changing its effective date to July 1, 2112, to encourage further discussion.

Your Committee respectfully requests your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, to consider establishing that knowingly, recklessly, or intentionally providing false information concerning the name or address of a person paying for a campaign advertisement as a class C felony.

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. 665, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 665, 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 (Mizuno, Woodson).

#### **SCRep. 1448-22 Government Reform on S.B. No. 741**

The purpose of this measure is to:

- (1) Require an elector to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group they represent and invalidate an elector's vote for failure to vote accordingly;
- (2) Require an alternate elector to vote in place of the original elector if the original elector fails to vote for the proper candidate; and
- (3) Require an alternate elector to vote for the candidates whose names appeared on the presidential general election ballot and who are of the political party or group that the alternate elector represents and invalidate an alternate elector's vote for failure to vote accordingly.

Your Committee received testimony in support of this measure from Common Cause Hawaii and nine individuals.

Your Committee finds that this measure will ensure that the political will of the people, as expressed at the ballot box, is not overturned by a faithless elector who does not vote for the candidate for whom they had pledged to vote.

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.

Your Committee notes that this measure, in its application, would have invalidated the vote cast by a Hawaii Democratic elector for Democrat Bernie Sanders in the 2016 Electoral College and required an alternate elector to vote for the Democratic Presidential Nominee Hillary Clinton. Your Committee respectfully requests that your Committee on Judiciary & Hawaiian Affairs, should it choose to deliberate on this measure, examine whether this measure's approach to ensure the selection of the party nominee is sound public policy where this measure would invalidate the elector's principled choice.

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. 741, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 741, 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 (Mizuno, Woodson).

**SCRep. 1449-22 Government Reform on S.B. No. 2143**

The purpose of this measure is to:

- (1) Define "board packet"; and
- (2) Specify that each board subject to the State's Sunshine Law:
  - (A) Shall not limit the presentation of oral testimonies solely to the beginning of the board meeting; and
  - (B) Shall make its board packets publicly available at least forty-eight hours prior to the board meeting if the board uses board packets.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, Hawaii Chapter of the Society of Professional Journalists, and eight individuals. Your Committee received comments on this measure from the Office of Information Practices and Hawai'i Tourism Authority.

Your Committee finds that many boards subject to the State's Sunshine Law do not provide the public with adequate time prior to a board meeting to understand what the board plans to discuss. This hampers the public's ability to submit meaningful comment on board matters. Your Committee further finds that this measure will provide the public with ample time and opportunity to review the materials of the board and give meaningful testimony to assist the board with its review and deliberations of agenda items.

Your Committee additionally finds that only allowing the public to testify at the beginning of a board meeting does not allow for meaningful discussion. Your Committee notes the example raised by Common Cause Hawaii in its testimony. Common Cause Hawaii had attended a commission meeting and was only permitted to testify at the beginning of the agenda. As the agenda progressed, Common Cause Hawaii was not allowed to raise any concerns. One of the concerns Common Cause Hawaii had during the commission's meeting was a violation of the Sunshine Law, as that commission was about to vote on a motion that was not on the commission's agenda. Your Committee recognizes this as an example of the importance of not limiting the presentation of oral testimonies solely to the beginning of the board meeting.

Your Committee notes the amendment suggested by the Hawaii Tourism Authority in its testimony about exempting research reports from inclusion in board packets to prevent them from being released prior to a board meeting. However, your Committee believes that providing such an exemption will create issues with public transparency.

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 is concerned that this measure may conflict with or duplicate certain provisions found in House Bill No. 2026 H.D. 2 (2022). Your Committee has accordingly amended this measure to allow continued discussion and, should a Committee on Conference be established to deliberate on this measure, allow the Committee on Conference to reconcile any differences between the two measures.

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. 2143, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2143, 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 (Mizuno, Woodson).

**SCRep. 1450-22 Government Reform on S.B. No. 2383**

The purpose of this measure is to:

- (1) Amend the composition and experience requirements for members of the State Procurement Policy Board, including requiring the Governor to appoint four members and the President of the Senate and Speaker of the House of Representatives to each appoint one member; and
- (2) Repeal the Policy Board Nominating Committee.

Your Committee received testimony in support of this measure from the Hawai'i Alliance of Nonprofit Organizations. Your Committee received comments on this measure from the State Procurement Office, Department of Budget and Fiscal Services of the City and County of Honolulu, Board of Directors of the Honolulu Authority for Rapid Transportation, and General Contractors Association of Hawaii.

Your Committee finds that boards and commissions provide an opportunity for the public to have a voice in government and provide a means to influence decisions that shape the quality of life for the residents of Hawaii. However, vacancies on these boards and commissions impede the ability of some agencies to fulfill their duties. Your Committee notes that the State Procurement Policy Board is one example where vacancies have left vital tasks of the Board pending. This measure changes the appointment process for the Board to facilitate and increase efficiency in the procurement process in Hawaii.

Your Committee additionally finds that, as currently drafted, this measure would give a majority of the appointment of members of the State Procurement Policy Board to the executive branch and create an imbalance between the separate and equal legislative and executive branches. Therefore, your Committee believes that amending this measure to require two appointments to be made by the Speaker of the House of Representatives, two appointments to be made by the President of the Senate, and two appointments to be made by the Governor to ensure that both legislative chambers and the executive branch have an equal say in the nominating process. Furthermore, your Committee also believes it to be in the State's interest to require that at least one member have experience in chapter 103D, Hawaii Revised Statutes, specifically concerning contracting. While the current Comptroller does fill this role, there may be times in the future where a comptroller may not be versed in this area.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that the Governor, President of the Senate, and Speaker of the House of Representatives shall each appoint two members to the State Procurement Policy Board;
- (2) Inserting language to require one member of the State Procurement Policy Board to have significant, high-level experience with the Hawaii Public Procurement Code; and
- (3) 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 consider reducing the number of members on the State Procurement Policy Board, as reaching a quorum of four for the current seven-member Board is challenging, as noted by the State Procurement Office's testimony before your Committee.

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. 2383, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2383, 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 (Mizuno, Woodson).

#### **SCRep. 1451-22 Government Reform on S.B. No. 2384**

The purpose of this measure is to:

- (1) Amend the procurement preference for Hawaii products to only apply to agricultural goods, value-added products, and commodities; and
- (2) Require the Department of Accounting and General Services to provide written notice of offerors listed on the Hawaii products list of any amendments to the list, including effective dates and dates of repeal.

Your Committee received testimony in support of this measure from the Department of Agriculture, Department of Accounting and General Services, University of Hawai'i System, Department of Budget and Fiscal Services of the City and County of Honolulu, Ulupono Initiative, and Hawai'i Farm Bureau. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the purpose of section 103D-1002, Hawaii Revised Statutes, is to incentivize contractors and subcontractors to use Hawaii products to support the local industry. Your Committee notes that contractors and subcontractors have indicated that it is common practice to source products locally due to availability and pricing. Since contractors and subcontractors already use Hawaii products, the preference for Hawaii products for purposes of public procurement is no longer necessary. However, your Committee believes that the Hawaii products preference is still necessary with respect to agricultural goods to further the State's food production and sustainability goals.

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.

Should your Committee on Consumer Protection and Commerce hear this measure, your Committee respectfully requests that it consider exempting the solicitation of construction from the procurement preference.

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. 2384, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2384, 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 (Mizuno, Woodson).

#### **SCRep. 1452-22 Government Reform on S.B. No. 3034**

The purpose of this measure is to clarify the listing information of contractors and subcontractors required for construction bids in a competitive sealed bid, including the specialty or specialties of the work to be performed by each.

Your Committee received testimony in support of this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu. 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 General Contractors Association of Hawaii.

Your Committee finds that existing law allows protests to a bid when a bid fails to list subcontractors who are not required to be licensed, which causes delays in the construction procurement process and may result in the award going to the protestor at a higher price. This measure is intended to clarify the information related to contractors and subcontractors that must be included in a competitive sealed bid.

However, your Committee has heard concerns that certain aspects of this measure may cause additional confusion or make it more difficult for contractors to comply with the law.

Accordingly, your Committee has amended this measure by:

- (1) Reverting to the contents of this measure as it was introduced, which specifies that invitations for construction bids under the competitive sealed bidding process must include the name and information of the joint contractors or subcontractors who are engaged in the performance of the contract and required to be licensed under the Contractor License Law;
- (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 respectfully requests your Committee on Consumer Protection & Commerce, should it choose to deliberate on this measure, to examine the issue of whether the inclusion of joint contractors in this measure, as amended by your Committee, would be problematic, as joint contractors is not defined under the Contractor License Law.

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. 3034, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3034, 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 (Mizuno, Woodson).

#### **SCRep. 1453-22 Government Reform on S.B. No. 3172**

The purpose of this measure is to:

- (1) Require that any electronic audio or video recording of a board meeting be kept as a public record, but clarify that only one version of any recording must be kept; and
- (2) Remove the requirement that a written summary must accompany any minutes that are posted in a digital or analog recording format.

Your Committee received testimony in support of this measure from the League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest,

Common Cause Hawaii, Society of Professional Journalists Hawaii Chapter, and seventeen individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Office of Information Practices.

Your Committee finds that public scrutiny and participation in the governmental process is important to protect the public's interests. Your Committee further finds that members of the public who are interested in public meetings but do not have the ability to attend in person or the time or technology to listen to recordings of the meetings are unnecessarily prevented from exercising their right to participate. Requiring electronic audio or video recordings of public meetings to be kept as a public record will encourage transparency and help ensure the public has access to and information regarding these meetings.

Your Committee notes that given the existence of cloud platform technology and other similar technologies that can be used to archive recordings of livestreamed meetings, the capacity and processing of recordings should not be an issue in archiving the recorded meetings.

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 deliberate this measure further, your Committee respectfully requests that it consider inserting language requiring that written minutes include a time stamp for discussions of each agenda time and motions and votes when a recording is made, as this could ensure recordings can remain useful to the public without requiring individuals to watch hours of video for a single agenda item.

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. 3172, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3172, 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 (Mizuno, Woodson).

#### **SCRep. 1454-22 Government Reform on S.B. No. 3219**

The purpose of this measure is to amend the State's Sunshine Law to exclude any person under eighteen from the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting at a nonpublic location.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority and one member of the Maui County Council. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021 (Act 220), allows boards subject to the State's Sunshine Law the option to use interactive conference technology to conduct remote meetings. Your Committee further finds that Act 220 requires a board member participating from a nonpublic location to identify those who are also present in that same location. Your Committee notes that there are times when board members may have their minor children present with them during a virtual board or committee meeting. Your Committee believes that children's privacy rights prevail over the public's right to disclosure of all the individuals who are present with a board member in a virtual meeting.

Your Committee additionally finds that in today's economy, there may be young people who are still of an age to be considered a minor yet engage in internship or professional capacities, potentially with organizations or entities that may have business in front of a board. Your Committee also finds that a private interest stipulation should be added to this measure so that if any such situation exists, the young person would still have to declare their presence under the Sunshine Law.

Accordingly, your Committee has amended this measure by:

- (1) Requiring a board member attending a remote public meeting to state the name of any person eighteen years of age or older who is present with the member at the nonpublic location, rather than excluding any person under eighteen from the mandatory disclosure;
- (2) Requiring the disclosure of the name of any individual who is present with a board member at a nonpublic location and is under the age of eighteen if the individual has a private interest on any issue before the board at the remote public meeting;
- (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 S.B. No. 3219, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3219, 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 (Mizuno, Woodson).

#### **SCRep. 1455-22 Corrections, Military, & Veterans on S.B. No. 2777**

The purpose of this measure is to:

- (1) Require pat downs and searches of female inmates to be conducted by a female correctional facility employee unless the inmate presents a risk of immediate harm to self or others or a risk of escape;
- (2) Prohibit male correctional facility employees from entering areas where female inmates may be in a state of undress unless an inmate in the area presents a risk of immediate harm to self or others or if there is a medical emergency in the area;
- (3) Require any prohibited search, pat down, or entry by a male correctional facility employee to be documented within three days of the incident, reviewed by the warden, and retained by the institution for reporting purposes;
- (4) Require that the Department of Public Safety increase its recruitment and training of female adult corrections officers to satisfy the requirements of female gender specific posts;
- (5) Require that the Department of Public Safety make every effort within the law to address the concerns of the advocates, the requirements of the Prison Rape Elimination Act, and staffing shortages of female gender specific posts, as well as the hiring and training of female adult corrections officers; and
- (6) Require a report to the Legislature concerning the Department of Public Safety's efforts in recruiting, hiring, and training female adult corrections officers.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Women's Prison Project, Hawai'i Friends of Restorative Justice, and five individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that this measure will help to ensure the protection of incarcerated women, many of whom have experienced sexual violence and suffer from post-traumatic stress disorder symptoms.

Your Committee has amended this measure by:

- (1) Clarifying that the male correctional facility employee shall not enter into an area of the institution where the male employee can view females in a state of undress for the purpose of conducting a search of a female inmate;
- (2) Deleting the requirement that the Department of Public Safety increase its recruitment and training of female adult corrections officers;
- (3) Deleting the requirement that the Department of Public Safety make every effort within the law to address the concerns of the advocates, the requirements of the Prison Rape Elimination Act, and staffing shortages of female gender specific posts, as well as the hiring and training of female adult corrections officers;
- (4) Deleting the requirement of a report to the Legislature;
- (5) Changing the effective date to July 1, 3000, 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 S.B. No. 2777, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2777, 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, 2 (Morikawa, McDermott).

#### **SCRep. 1456-22 Corrections, Military, & Veterans on S.B. No. 2091**

The purpose of this measure is to establish a comprehensive application process for executive pardons.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kaua'i, Mothers Against Drunk Driving Hawaii, and one individual. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i. Your Committee received comments on this measure from the Department of Public Safety and Hawaii Paroling Authority.

Your Committee finds that this measure sets forth the requirements for an application for executive pardon; the respective roles of the applicant, Governor, Department of Public Safety, Hawaii Paroling Authority, prosecuting attorneys, and Department of the Attorney General; timeframes within which certain steps of the process must occur; information and documentation needed for full consideration of the application; a means of ensuring any victim or surviving immediate family members of the victim are notified of the application and provided an opportunity to submit information relating to the application; authorization to investigate an application; and if an application is denied, the earliest date by which a repeat application may be accepted.

Your Committee further finds that the existing pardon process does not provide for the notification or input of prosecutors and crime victims or their surviving immediate family members. This measure corrects that oversight, assures an opportunity for the submission of sufficient records upon which to base a sound decision, and establishes a process that promotes consistency, transparency, and uniformity in the handling of applications for executive pardons.

Your Committee has amended this measure by:

- (1) Deleting the specified number of days for the Hawaii Paroling Authority to transmit applicant information to the prosecuting attorney;
- (2) Deleting the requirement that the prosecuting attorney promptly inform the Hawaii Paroling Authority that additional materials would be provided by the victim;
- (3) Deleting the timeframe within which the application for pardon shall be considered complete and eligible for consideration; 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 S.B. No. 2091, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2091, 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, 2 (Kong, McDermott).

#### **SCRep. 1457-22 Corrections, Military, & Veterans on S.B. No. 3087**

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Defense and Hawaii Emergency Management Agency.

Your Committee finds that this measure codifies the terms under which the Governor may enter into a compact on behalf of the State with any other state, the Commonwealth of Puerto Rico, the District of Columbia, and any United States territorial possession for the rendering or receipt of emergency management assistance. According to the Department of Defense, this measure supports the logical alignment of the Hawaii Emergency Management Agency with best emergency management practices across the country, and moving these terms and provisions into the emergency management series in the Hawaii Revised Statutes will provide for the concise, logical organization of the emergency management laws of the State.

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. 3087, 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, 6. Noes, none. Excused, 2 (Kong, McDermott).

#### **SCRep. 1458-22 Corrections, Military, & Veterans on S.B. No. 2305**

The purpose of this measure is to clarify that the comprehensive offender reentry system provides programs and services that result in the timely release of



inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Department of Public Safety, American Civil Liberties Union of Hawai'i, Common Cause Hawaii, and Community Alliance on Prisons.

Your Committee finds that this measure will correct language that was incorporated into chapter 353L, Hawaii Revised Statutes, when the Hawaii Correctional System Oversight Commission was first established by Act 179, Session Laws of Hawaii 2019. At the time, the commission was charged with various oversight responsibilities, including ensuring that the comprehensive offender reentry system under chapter 353H, Hawaii Revised Statutes, is working properly to provide programs and services that result in the timely release of inmates on parole.

Your Committee finds that the Hawaii Paroling Authority establishes minimum terms of imprisonment when an inmate becomes eligible for release into the community under parole supervision. The Department of Public Safety is required to develop and implement comprehensive reentry plans to help each inmate make the difficult transition from the prison setting to community life. As written, section 353L-3, Hawaii Revised Statutes, inadvertently provides the commission's oversight of "programs and services that result in the timely release of inmates on parole when the maximum terms have been served". Accordingly, your Committee finds this one-word housekeeping amendment to change "maximum" to "minimum" is necessary.

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. 2305 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 (Kong, McDermott).

#### **SCRep. 1459-22 Water & Land on H.R. No. 132**

The purpose of this measure is to urge the Federal Government to develop a national biodiversity strategy to preserve and protect biodiversity within the State of Hawaii and throughout the United States.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; and the University of Hawai'i. Your Committee received testimony in opposition from one individual.

Your Committee finds that the United States, and the State of Hawai'i in particular, face severe threats to biodiversity. While the State has approximately twenty-five percent of endangered species nationally, Hawai'i receives only three percent of federal funds available to manage at-risk species. A federal biodiversity strategy could set goals, improve collaboration, and serve as a coordinating policy to maximize the effectiveness of local, state, national, and international conservation efforts.

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. 132 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. 1460-22 Water & Land on H.C.R. No. 132**

The purpose of this measure is to urge the Federal Government to develop a national biodiversity strategy to preserve and protect biodiversity within the State of Hawaii and throughout the United States.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; the University of Hawai'i; the Center for Biological Diversity; and five individuals.

Your Committee finds that the United States, and the State of Hawai'i in particular, face severe threats to biodiversity. While the State has approximately twenty-five percent of the endangered species nationally, Hawai'i receives only three percent of federal funds available to manage at-risk species. A federal biodiversity strategy could set goals, improve collaboration, and serve as a coordinating policy to maximize the effectiveness of local, state, national, and international conservation efforts.

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. 132 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. 1461-22 Water & Land on H.R. No. 100**

The purpose of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kaua'i with the traditional Hawaiian place name, "Pa'ula'ula."

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Kaua'i County Council; Ke One O Kākuhihewa; and one individual. Your Committee received testimony in opposition of this measure from one individual.

Your Committee finds that the area currently known as Russian Fort Elisabeth State Historical Park is traditionally named "Pa'ula'ula." Your Committee also finds that the Russian-American Company played a brief and limited role in the area's history, and that the State Historical Park's current name is misleading. This measure seeks to revise the naming, signage, and interpretive documents of the State Historical Park to reflect its rich multicultural history, and to support the State Constitution's provisions promoting the study of Hawaiian culture, history, and language.

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. 100 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. 1462-22 Water & Land on H.C.R. No. 104**

The purpose of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kaua'i with the traditional Hawaiian place name, "Pa'ula'ula."

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; one member of the Kaua'i County

Council; Moku o Manokalanipō, the Kauaʻi Council of the Association of Hawaiian Civic Clubs; Ke One O Kākuhihewa; the Oahu Council for the Association of Hawaiian Civic Clubs; Kuaʻāina Ulu ʻAuamo; and five individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the area currently known as Russian Fort Elisabeth State Historical Park is traditionally named "Paʻulaʻula." Your Committee also finds that the Russian-American Company played a brief and limited role in the area's history, and that the State Historical Park's current name is misleading. This measure seeks to revise the naming, signage, and interpretive documents of the State Historical Park to reflect its rich multicultural history, and to support the State Constitution's provisions promoting the study of Hawaiian culture, history, and language.

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. 104 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. 1463-22 Water & Land on H.R. No. 176**

The purpose of this measure is to urge the Board of Land and Natural Resources to appoint harbor agents as enforcement officers, as authorized under section 199-4, Hawaii Revised Statutes, for purposes of enforcing parking violations at small boat harbors in the State.

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

Your Committee finds that parking shortages and parking violations are an issue at small boat harbors throughout the State. Currently, only conservation and resource officers can enforce parking violations in small boat harbors. This limitation, combined with the limited number and broad responsibilities of conservation and resource enforcement officers, has led to a lack of enforcement of parking rules at small boat harbors. This measure seeks to address this issue by urging the Department of Land and Natural Resources to designate harbor agents as staff authorized to enforce parking rules at small boat harbors.

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. 176 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. 1464-22 Water & Land on H.C.R. No. 176**

The purpose of this measure is to urge the Board of Land and Natural Resources to appoint harbor agents as enforcement officers, as authorized under section 199-4, Hawaii Revised Statutes, for purposes of enforcing parking violations at small boat harbors in the State.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that parking shortages and parking violations are an issue at small boat harbors throughout the State. Currently, only conservation and resource officers can enforce parking violations in small boat harbors. This limitation, combined with the limited number and broad responsibilities of conservation and resource enforcement officers, has led to a lack of enforcement of parking rules at small boat harbors. This measure seeks to address this issue by urging the Department of Land and Natural Resources to designate harbor agents as staff authorized to enforce parking rules at small boat harbors.

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. 176 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. 1465-22 Water & Land on H.R. No. 34**

The purpose of this measure is to request the State and City and County of Honolulu to convene a working group to collaborate on multi-jurisdictional stream maintenance on Oʻahu and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days before the convening of the Regular Session of 2023.

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

Your Committee finds that the division of jurisdictional responsibilities and property ownership complicates stream maintenance. The maintenance of streams is vital to preparing for extreme weather events and natural disasters. This measure seeks to address jurisdictional challenges to stream maintenance on Oʻahu by convening stakeholders to collaborate in discussion of stream ownership and maintenance responsibilities.

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. 34 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. 1466-22 Water & Land on H.C.R. No. 39**

The purpose of this measure is to request the State and City and County of Honolulu to convene a working group to discuss multi-jurisdictional stream maintenance on Oʻahu, and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Koʻolau Foundation; and two individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources.

Your Committee finds that the division of jurisdictional responsibilities and property ownership complicates stream maintenance. The maintenance of streams is vital to preparing for extreme weather events and natural disasters. This measure seeks to address the jurisdictional challenges to stream maintenance on Oʻahu by convening stakeholders to collaborate in discussion of stream ownership and maintenance responsibilities.

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. 39 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. 1467-22 Water & Land on H.R. No. 69**

The purpose of this measure is to convene a working group to determine any circumstances under which government entities should be reimbursed for search and rescue services on land for trail users and what constitutes proper public notice of a trail user's illegal presence on land for purposes of imposing penalties for violations of law, and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that when individuals defy the law by venturing onto closed hiking trails and subsequently require search and rescue response services, first response agencies bear the cost and risks involved in their rescue. This measure seeks to include public recreation, first response, land management, and legal stakeholders in the consideration of potential means to address costs incurred by government entities to rescue persons who knowingly venture into illegal or closed areas.

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. 69 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. 1468-22 Water & Land on H.C.R. No. 76**

The purpose of this measure is to convene a working group to determine any circumstances under which government entities should be reimbursed for search and rescue services on land for trail users and what constitutes proper public notice of a trail user's illegal presence on land for purposes of imposing penalties for violations of law, and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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

Your Committee finds that when individuals defy the law by venturing onto closed hiking trails and subsequently require search and rescue response services, first response agencies bear the cost and risks involved in their rescue. This measure seeks to include public recreation, first response, land management, and legal stakeholders in the consideration of potential means to address costs incurred by government entities to rescue persons who knowingly venture into illegal or closed areas.

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. 76 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. 1469-22 Water & Land on H.R. No. 73**

The purpose of this measure is to urge the Department of Land and Natural Resources to explore the possibility of expanding the Mount Ka'ala Natural Area Reserve to include the slopes of Mount Ka'ala, particularly in the Waialua direction, so as to better protect, preserve, and promote the area's unique natural resources and cultural value.

Your Committee received testimony in support of this measure from the Department of Land and Natural resources; and two individuals.

Your Committee finds that Mount Ka'ala hosts diverse natural communities and rare plant and animal species. Conservation programs in the reserve promote environmental awareness and resource management, and expanding the natural area reserve to include the northern slopes of Mount Ka'ala could further these goals.

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. 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. 1470-22 Water & Land on H.C.R. No. 82**

The purpose of this measure is to urge the Department of Land and Natural Resources to explore the possibility of expanding the Mount Ka'ala Natural Area Reserve to include the slopes of Mount Ka'ala, particularly in the Waialua direction, so as to better protect, preserve, and promote the area's unique natural resources and cultural value.

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

Your Committee finds that Mount Ka'ala hosts diverse natural communities and rare plant and animal species. Conservation programs in the reserve promote environmental awareness and resource management, and expanding the natural area reserve to include the northern slopes of Mount Ka'ala could further these goals.

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. 82 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. 1471-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on H.R. No. 2**

The purpose of this measure is to request the United States Navy to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, store its fuel in a manner compliant with the law, establish a new water treatment facility, pay for all costs to the State, and comply with all future remediation efforts.

Your Committees received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Honolulu Board of Water Supply, Hawaii State Teachers Association, 350Hawaii.org, Our Revolution Hawaii, Environmental Caucus of the Democratic Party of

Hawai'i, Sierra Club of Hawai'i, and five individuals.

Your Committees find that the Red Hill Bulk Fuel Storage Facility is located approximately one hundred feet directly above the Southern Oahu Basal Aquifer, which is the principal source of drinking water for Oahu. In November 2021, approximately fourteen thousand gallons of a mixture of water and fuel from a crack in a fire suppression drain line at the Red Hill Bulk Fuel Storage Facility contaminated the groundwater aquifer where the Honolulu Board of Water Supply wells and the Navy's water supply wells obtain their water.

Your Committees further find that the Honolulu Board of Water Supply has had to shut down its Halawa Shaft, Halawa Wells, and Aiea Wells due to fuel releases from the facility. The contamination of the Navy's water supply well, the Red Hill Shaft, has caused a water contamination crisis at Joint Base Pearl Harbor-Hickam unlike any experienced in the State's history and has upended the lives of thousands of Oahu residents.

According to testimony from the Board of Water Supply before your Committees, the shutdown of the affected Board of Water Supply wells includes a possibility of mandatory water conservation and other measures during the hot summer months in the event the maximum use of available Board of Water Supply wells is unable to compensate for the loss of Halawa Shaft, Halawa Wells, and Aiea Wells.

Your Committees also find that a recent contested case hearing and Navy incidences of fuel releases reveal the Red Hill Bulk Fuel Storage Facility has reached its useful life, the chances of further leaks are real, and the Navy is unable to safely operate the facility without releases. Collaborative action between federal, state, and county agencies is necessary to address the ongoing Red Hill water contamination crisis and ensure that Oahu's water supply remains safe now and in the future.

As affirmed by the records of votes of the members of your Committees on Health, Human Services, & Homelessness and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 2 and recommend that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 5. Noes, none. Excused, 2 (Kapela, Nishimoto).

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Perruso).

#### **SCRep. 1472-22 Health, Human Services, & Homelessness/Energy & Environmental Protection on H.C.R. No. 6**

The purpose of this measure is to request the United States Navy to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, store its fuel in a manner compliant with the law, establish a new water treatment facility, pay for all costs to the State, and comply with all future remediation efforts.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Honolulu Board of Water Supply, Hawaii State Teachers Association, Livable Hawaii Kai Hui, 350Hawaii.org, Our Revolution Hawaii, Environmental Caucus of the Democratic Party of Hawai'i, Sierra Club of Hawai'i, Wai Ola Alliance, and eight individuals.

Your Committees find that the Red Hill Bulk Fuel Storage Facility is located approximately one hundred feet directly above the Southern Oahu Basal Aquifer, which is the principal source of drinking water for Oahu. In November 2021, approximately fourteen thousand gallons of a mixture of water and fuel from a crack in a fire suppression drain line at the Red Hill Bulk Fuel Storage Facility contaminated the groundwater aquifer where the Honolulu Board of Water Supply wells and the Navy's water supply wells obtain their water.

Your Committees further find that the Honolulu Board of Water Supply has had to shut down its Halawa Shaft, Halawa Wells, and Aiea Wells due to fuel releases from the facility. The contamination of the Navy's water supply well, the Red Hill Shaft, has caused a water contamination crisis at Joint Base Pearl Harbor-Hickam unlike any experienced in the State's history and has upended the lives of thousands of Oahu residents.

According to testimony from the Board of Water Supply before your Committees, the shutdown of the affected Board of Water Supply wells includes a possibility of mandatory water conservation and other measures during the hot summer months in the event the maximum use of available Board of Water Supply wells is unable to compensate for the loss of Halawa Shaft, Halawa Wells, and Aiea Wells.

Your Committees also find that a recent contested case hearing and Navy incidences of fuel releases reveal the Red Hill Bulk Fuel Storage Facility has reached its useful life, the chances of further leaks are real, and the Navy is unable to safely operate the facility without releases. Collaborative action between federal, state, and county agencies is necessary to address the ongoing Red Hill water contamination crisis and ensure that Oahu's water supply remains safe now and in the future.

As affirmed by the records of votes of the members of your Committees on Health, Human Services, & Homelessness and Energy & Environmental Protection that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 6 and recommend that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chairs on behalf of the Committees.

Health, Human Services, & Homelessness: Ayes, 5. Noes, none. Excused, 2 (Kapela, Nishimoto).

Energy & Environmental Protection: Ayes, 7. Noes, none. Excused, 1 (Perruso).

#### **SCRep. 1473-22 Pandemic & Disaster Preparedness on H.C.R. No. 67**

The purpose of this measure is to urge the Department of Health and Department of Human Services to work with the YMCA of Honolulu to support the mental wellness of the State's youth.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawaii, YMCA of Honolulu, and two individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that mental health experts from across the country expressed concern regarding the effects of the coronavirus disease 2019 pandemic on the mental health of youth. Your Committee further finds that depression and anxiety has doubled during the pandemic, while negative emotions and behaviors have moderately increased. Your Committee also finds that community organizations, such as the YMCA, play an important role in promoting healthy development and supporting youth in the State. This measure urges the Department of Health and Department of Human Services to work with the YMCA of Honolulu to create a statewide program that addresses the increase in mental distress of the State's youth caused by the pandemic, thereby ensuring the mental wellness of youth 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 H.C.R. No. 67 and recommends that it be referred to your Committee on Health, Human Services, & Homelessness.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Mizuno, Wildberger).

**SCRep. 1474-22 Higher Education & Technology on H.R. No. 32**

The purpose of this measure is to request the University of Hawaii to establish a reliable, independent, and transparent methodology to assess the effects of radio frequency emissions generated by wireless antenna sites.

Your Committee received testimony in support of this measure from Safe Dynamics, Inc. Your Committee received testimony in opposition to this measure from CTIA. Your Committee received comments on this measure from the Hawai'i Association of Broadcasters and New West Broadcasting Corp.

Your Committee finds that wireless communications technology has become an indispensable part of everyday life for virtually all consumers in Hawaii. However, as wireless networks grow to meet increasing consumer demand, the infrastructure required to meet this demand has begun to steadily encroach on neighborhoods, schools, and workplaces. Many more sites will need to be built, and existing sites upgraded, to deliver the capacity and performance promises of new broadband wireless technology such as 5G. This measure seeks to ensure that growth in new wireless technologies, and corresponding growth in wireless transmitting antennas, occurs in a responsible and managed manner, consistent and compliant with Federal Communications Commission regulations.

Your Committee has amended this measure by:

- (1) Deleting the language relating to public perceptions concerning wireless technologies being shaped by speculation and misinformation rather than verifiable scientific evidence; and
- (2) Making technical, 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 H.R. No. 32, 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. 32, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Ohno, Quinlan, Woodson).

**SCRep. 1475-22 Higher Education & Technology on H.C.R. No. 37**

The purpose of this measure is to request the University of Hawaii to establish a reliable, independent, and transparent methodology to assess the effects of radio frequency emissions generated by wireless antenna sites.

Your Committee received testimony in support of this measure from Beneventure Partners, LLC; Safe Dynamics, Inc.; and one individual. Your Committee received testimony in opposition to this measure from CTIA. Your Committee received comments on this measure from the VI Advisory Board of the Mexican Federal Telecommunications Institute, Hawai'i Association of Broadcasters, and New West Broadcasting Corp.

Your Committee finds that wireless communications technology has become an indispensable part of everyday life for virtually all consumers in Hawaii. However, as wireless networks grow to meet increasing consumer demand, the infrastructure required to meet this demand has begun to steadily encroach on neighborhoods, schools, and workplaces. Many more sites will need to be built, and existing sites upgraded, to deliver the capacity and performance promises of new broadband wireless technology such as 5G. This measure seeks to ensure that growth in new wireless technologies, and corresponding growth in wireless transmitting antennas, occurs in a responsible and managed manner, consistent and compliant with Federal Communications Commission regulations.

Your Committee has amended this measure by:

- (1) Deleting the language relating to public perceptions concerning wireless technologies being shaped by speculation and misinformation rather than verifiable scientific evidence; and
- (2) Making technical, 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 H.C.R. No. 37, 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. 37, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Ohno, Quinlan, Woodson).

**SCRep. 1476-22 Higher Education & Technology on H.R. No. 165**

The purpose of this measure is to request the Office of Enterprise Technology Services to develop a recommended definition for blockchain technology and recommendations for opportunities for individuals, private entities, and state agencies to use blockchain technology.

Your Committee received comments on this measure from the Office of Enterprise Technology Services.

Your Committee finds that blockchain technology, which employs a distributed ledger format, can protect data; streamline processes; and reduce fraud, waste, and abuse while simultaneously increasing trust and accountability. Your Committee further finds that blockchain technology can be leveraged to support an array of government and public-sector applications, including land registration, identity management, supply-chain traceability, health care, corporate registration, taxation, voting, digital currency and payments, and legal-entities management.

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 H.R. No. 165 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kapela). Noes, none. Excused, 3 (Ohno, Quinlan, Woodson).

**SCRep. 1477-22 Higher Education & Technology on H.C.R. No. 165**

The purpose of this measure is to request the Office of Enterprise Technology Services to develop a recommended definition for blockchain technology and recommendations for opportunities for individuals, private entities, and state agencies to use blockchain technology.

Your Committee received comments on this measure from the Office of Enterprise Technology Services.

Your Committee finds that blockchain technology, which employs a distributed ledger format, can protect data; streamline processes; and reduce fraud, waste, and abuse while simultaneously increasing trust and accountability. Your Committee further finds that blockchain technology can be leveraged to support an array of government and public-sector applications, including land registration, identity management, supply-chain traceability, health care, corporate registration, taxation, voting, digital currency and payments, and legal-entities management.

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 H.C.R. No. 165 and recommends that it be referred to your Committee on Consumer Protection & Commerce.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Kapela). Noes, none. Excused, 3 (Ohno, Quinlan, Woodson).

**SCRep. 1478-22 Corrections, Military, & Veterans on H.R. No. 5**

The purpose of this measure is to request that the Department of Public Safety, Sheriff Division, fly the National League of Families of American Prisoners and Missing in Southeast Asia's flag year-round at the State Capitol.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that the 101st Congress of the United States passed Public Law 101-355, recognizing the National League of Families of American Prisoners and Missing in Southeast Asia's flag as "the symbol of our Nation's concern and commitment to resolving as fully as possible the rates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation". Your Committee further finds that the importance of the flag lies in its continued visibility, making it a constant reminder of the plight of America's prisoners of war and missing in action.

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. 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, 2 (Kong, McDermott).

**SCRep. 1479-22 Corrections, Military, & Veterans on H.C.R. No. 8**

The purpose of this measure is to request that the Department of Public Safety, Sheriff Division, fly the National League of Families of American Prisoners and Missing in Southeast Asia's flag year-round at the State Capitol.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the 101st Congress of the United States passed Public Law 101-355, recognizing the National League of Families of American Prisoners and Missing in Southeast Asia's flag as "the symbol of our Nation's concern and commitment to resolving as fully as possible the rates of Americans still prisoner, missing and unaccounted for in Southeast Asia, thus ending the uncertainty for their families and the Nation". Your Committee further finds that the importance of the flag lies in its continued visibility, making it a constant reminder of the plight of America's prisoners of war and missing in action.

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. 8 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 (Kong, McDermott).

**SCRep. 1480-22 Legislative Management on H.R. No. 171**

The purpose of this measure is to improve public access to the legislative process by adopting rules to allow for virtual testimony, recorded hearings, and internet broadcasts of hearings beyond periods of catastrophic events, such as the coronavirus disease 2019 (COVID-19) pandemic.

Your Committee received testimony in support of this measure from Common Cause Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and six individuals.

Your Committee finds that with the onset of the COVID-19 pandemic, physical access to the State Capitol, hearings, and live testimony was restricted. However, remote meetings were held safely and allowed people from farther distances or with limited mobility to effectively participate. Your Committee further finds that taking advantage of virtual attendance and remote testimony procedures developed during the pandemic would support the continuation of increased public access to the legislative process.

Your Committee has amended this measure by:

- (1) Amending its title; and
- (2) Making technical, 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. 171, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 171, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1481-22 Legislative Management on H.C.R. No. 171**

The purpose of this measure is to improve public access to the legislative process by adopting rules to allow for virtual testimony, recorded hearings, and internet broadcasts of hearings beyond periods of catastrophic events, such as the coronavirus disease 2019 (COVID-19) pandemic.

Your Committee received testimony in support of this measure from Common Cause Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual.

Your Committee finds that with the onset of the COVID-19 pandemic, physical access to the State Capitol, hearings, and live testimony was restricted. However, remote meetings were held safely and allowed people from farther distances or with limited mobility to effectively participate. Your Committee further finds that taking advantage of virtual attendance and remote testimony procedures developed during the pandemic would support the continuation of increased public access to the legislative process.

Your Committee has amended this measure by:

- (1) Amending its title; and
- (2) Making technical, 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. 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, 5. Noes, none. Excused, 1 (Belatti).

**SCRep. 1482-22 Transportation on H.R. No. 25**

The purpose of this measure is to encourage the Department of Transportation to work with stakeholders to develop a holistic management plan that will ensure Hana Highway is properly maintained and is safe for residents and visitors.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that Hana Highway, an internationally renowned roadway, serves residents and visitors on Maui. However, there has been historic difficulty in maintaining Hana Highway due to physical location and multiple parties owning adjacent lands. In order to improve road safety for residents and visitors, it is necessary for the Department of Transportation to work with all stakeholders to ensure that Hana Highway is properly maintained for the safety of residents and visitors.

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. 25 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, 1 (Kitagawa).

**SCRep. 1483-22 Transportation on H.C.R. No. 29**

The purpose of this measure is to encourage the Department of Transportation to work with stakeholders to develop a holistic management plan that will ensure Hana Highway is properly maintained and is safe for residents and visitors.

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 comments on this measure from the Public Utilities Commission.

Your Committee finds that Hana Highway, an internationally renowned roadway, serves residents and visitors on Maui. However, there has been historic difficulty in maintaining Hana Highway due to physical location and multiple parties owning adjacent lands. In order to improve road safety for residents and visitors, it is necessary for the Department of Transportation to work with all stakeholders to ensure that Hana Highway is properly maintained for the safety of residents and visitors.

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. 29 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, 1 (Kitagawa).

**SCRep. 1484-22 Transportation on H.R. No. 181**

The purpose of this measure is to request the Department of Transportation, in collaboration with the Departments of Land and Natural Resources and Business, Economic Development, and Tourism, to convene a working group to examine the impact of sustainable transportation solutions in the State, including ground-effect vehicles and other innovative technologies.

Your Committee received testimony in support of this measure from the Department of Transportation, REGENT Craft Inc., Hawaii Think Tank, Council for Native Hawaiian Advancement, and Surfrider Foundation. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that new developments and technological advancements in transportation may help to reduce carbon dioxide emissions and address many issues facing the State, including alleviating road congestion, increasing transportation convenience for residents, and providing underserved communities with greater access to affordable transportation. Additionally, the development and utilization of sustainable transportation solutions, such as ground-effect vehicles, may have significant impacts on the State. Therefore, examining these emerging technologies is worth investigating given the potential these innovative transportation solutions may provide the State.

Your Committee has amended this measure by:

(1) Amending the composition of the working group by:

- (A) Adding the Chief Energy Officer of the Hawaii State Energy Office, or the Chief Energy Officer's designee; and
- (B) Removing the Chairpersons of the Senate and House of Representatives Standing Committees on Transportation; and

(2) Making technical, 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. 181, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 181, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

**SCRep. 1485-22 Transportation on H.R. No. 125**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Driver Education Program administered by the Departments of Transportation and Education.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that driver education is important for every driver. Due to the lack of availability of driver instructors and flexibility of the Department of Transportation to allow for online class instruction, there has been limited availability for driver education classes, especially for neighbor island residents. Therefore, this measure requests the Auditor to examine the backlog of driver education opportunities and programs and whether these activities are being conducted effectively, efficiently, economically, ethically, and equitably.

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. 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, 1 (Kitagawa).

**SCRep. 1486-22 Transportation on H.C.R. No. 125**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Driver Education Program administered by the Departments of Transportation and Education.

Your Committee received testimony in support of this measure from the Department of Transportation and Department of Education.

Your Committee finds that driver education is important for every driver. Due to the lack of availability of driver instructors and flexibility of the Department of Transportation to allow for online class instruction, there has been limited availability for driver education classes, especially for neighbor island residents. Therefore, this measure requests the Auditor to examine the backlog of driver education opportunities and programs and whether these activities are being conducted effectively, efficiently, economically, ethically, and equitably.

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, 1 (Kitagawa).

**SCRep. 1487-22 Transportation on H.R. No. 141**

The purpose of this measure is to urge the Department of Transportation to name the Mokulele Bike Path after former State Representative Joseph "Joey" W. Bertram III in recognition and celebration of his life and role in the development of the Maui Veterans Highway bike route.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Joseph "Joey" W. Bertram III dedicated four years of his life serving as a State Representative for District 11 in south Maui. Mr. Bertram was a strong advocate for greenways, open space, bikeways, and improved public transportation and played a significant role in the establishment and development of the Maui Veterans Highway bike route. Therefore, naming a portion of the bike route after Mr. Bertram would recognize and celebrate his life and role in the development of the Maui Veterans Highway bike route.

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. 141 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, 1 (Kitagawa).

**SCRep. 1488-22 Transportation on H.C.R. No. 141**

The purpose of this measure is to urge the Department of Transportation to name the Mokulele Bike Path after former State Representative Joseph "Joey" W. Bertram III in recognition and celebration of his life and role in the development of the Maui Veterans Highway bike route.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Department of Transportation.

Your Committee finds that Joseph "Joey" W. Bertram III dedicated four years of his life serving as a State Representative for District 11 in south Maui. Mr. Bertram was a strong advocate for greenways, open space, bikeways, and improved public transportation and played a significant role in the establishment and development of the Maui Veterans Highway bike route. Therefore, naming a portion of the bike route after Mr. Bertram would recognize and celebrate his life and role in the development of the Maui Veterans Highway bike route.

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. 141 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, 1 (Kitagawa).

**SCRep. 1489-22 Transportation on H.R. No. 99**

The purpose of this measure is to urge the Public Utilities Commission to increase fines, fees, and enforcement efforts regarding tour bus operators who violate state law.

Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that some tour bus operators have negatively impacted the daily lives of the State's residents by monopolizing parking spots, blocking residential driveways, and dropping off passengers in locations that make roadways unsafe. Additionally, the Public Utilities Commission continues to issue citations for violations by tour bus operators, with many tour bus operators accruing multiple citations. Therefore, greater deterrents are needed to ensure that tour bus operators do not endanger or inconvenience the State's residents by repeatedly violating state law.

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. 99 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, 1 (Kitagawa).

**SCRep. 1490-22 Transportation on H.C.R. No. 103**

The purpose of this measure is to urge the Public Utilities Commission to increase fines, fees, and enforcement efforts regarding tour bus operators who violate state law.

Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that some tour bus operators have negatively impacted the daily lives of the State's residents by monopolizing parking spots, blocking residential driveways, and dropping off passengers in locations that make roadways unsafe. Additionally, the Public Utilities Commission continues to issue



citations for violations by tour bus operators, with many tour bus operators accruing multiple citations. Therefore, greater deterrents are needed to ensure that tour bus operators do not endanger or inconvenience the State's residents by repeatedly violating state law.

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. 103 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, 1 (Kitagawa).

#### **SCRep. 1491-22 Transportation on H.R. No. 37**

The purpose of this measure is to request the Auditor to conduct an audit of current harbor inspection procedures of state departments and federal agencies for out-of-state and interisland arrivals of shipping containers to prevent the importation of illegal fireworks into the State.

Your Committee received testimony in support of this measure from the Kihei Community Association. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Transportation and Office of the Auditor.

Your Committee finds that despite the ban on aerial fireworks and certain other consumer fireworks, there continues to be numerous instances of illegal firework use in the State. Additionally, the lack of sufficient cargo inspections increases the opportunity for illegal fireworks to enter the State. Therefore, an audit of current harbor inspection procedures of state departments for shipping containers would outline current inspection procedures at state harbors, identify any shortcomings in the current procedures, and determine any necessary changes that would reduce the volume of illegal fireworks being imported into the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have requested the Auditor to conduct an audit of current harbor inspection procedures of federal agencies for shipping containers;
- (2) Amending its title in accordance with its amended purpose; 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 concurs with the intent and purpose of H.R. No. 37, 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. 37, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1492-22 Transportation on H.C.R. No. 42**

The purpose of this measure is to request the Auditor to conduct an audit of current harbor inspection procedures of state departments and federal agencies for out-of-state and interisland arrivals of shipping containers to prevent the importation of illegal fireworks into the State.

Your Committee received comments on this measure from the Department of Transportation and Office of the Auditor.

Your Committee finds that despite the ban on aerial fireworks and certain other consumer fireworks, there continues to be numerous instances of illegal firework use in the State. Additionally, the lack of sufficient cargo inspections increases the opportunity for illegal fireworks to enter the State. Therefore, an audit of current harbor inspection procedures of state departments for shipping containers would outline current inspection procedures at state harbors, identify any shortcomings in the current procedures, and determine any necessary changes that would reduce the volume of illegal fireworks being imported into the State.

Your Committee has amended this measure by:

- (1) Deleting language that would have requested the Auditor to conduct an audit of current harbor inspection procedures of federal agencies for shipping containers;
- (2) Amending its title in accordance with its amended purpose; 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 concurs with the intent and purpose of H.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 H.C.R. No. 42, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1493-22 Judiciary & Hawaiian Affairs on H.R. No. 143**

The purpose of this measure is to urge the Judiciary to partner with supporting agencies and request grant funds under the Victims of Crime Act to establish and support a restorative justice program in each county to allow victims and offenders an opportunity to participate in restorative justice.

Your Committee received testimony in support of this measure from Hawai'i Friends of Restorative Justice, Epic Ohana, and three 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, 10. Noes, none. Excused, 1 (Ichiyama).

#### **SCRep. 1494-22 Judiciary & Hawaiian Affairs on H.C.R. No. 143**

The purpose of this measure is to urge the Judiciary to partner with supporting agencies and request grant funds under the Victims of Crime Act to establish and support a restorative justice program in each county to allow victims and offenders an opportunity to participate in restorative justice.

Your Committee received testimony in support of this measure from Hawai'i Friends of Restorative Justice; Inmate Initiative, INC.; Epic Ohana; and three individuals. Your Committee received comments on this measure from the State of Hawaii Judiciary and ACLU of Hawai'i.

As 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. 143 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 (Ichiyama).

**SCRep. 1495-22 Judiciary & Hawaiian Affairs on H.R. No. 57**

The purpose of this measure is to request the Department of Hawaiian Home Lands implement programs to support very low income native Hawaiian beneficiaries.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i. 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 57 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 (Ichiyama).

**SCRep. 1496-22 Judiciary & Hawaiian Affairs on H.C.R. No. 63**

The purpose of this measure is to request the Department of Hawaiian Home Lands implement programs to support very low income native Hawaiian beneficiaries.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual. Your Committee 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 63 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 (Ichiyama).

**SCRep. 1497-22 Judiciary & Hawaiian Affairs on H.C.R. No. 11**

The purpose of this measure is to request the creation and establishment of a task force within the Judiciary to determine the feasibility of and best system to transmit service of notice and process via electronic mail.

Your Committee received comments on this measure from the State of Hawaii Judiciary.

Your Committee has amended this measure by:

- (1) Clarifying that the task force should examine the initial service of process for lawsuits and notice of other proceedings.

As 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, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 11, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

**SCRep. 1498-22 Judiciary & Hawaiian Affairs on H.R. No. 184**

The purpose of this measure is to urge the United States Congress to provide adequate funding for immigration services and the requesting data on the effect of case backlogs and the lack of free or low-cost legal representation on immigration cases filed in Hawaii.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations Office of Community Services, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, and The Legal Clinic. Your Committee received testimony in opposition to 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. 184 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 (Ichiyama).

**SCRep. 1499-22 Culture, Arts, & International Affairs on H.R. No. 161**

The purpose of this measure is to request the Creative Resurgence Task Force to continue to examine and determine measures and establish policies and programs to build and foster creativity and innovation through the arts, culture, and humanities in the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and State Foundation on Culture and the Arts.

Your Committee finds that in response to the devastating impact of the coronavirus disease 2019 pandemic on the State's creative economy and arts and humanities education, the Legislature adopted Senate Concurrent Resolution 242, S.D. 1, H.D. 1 (S.C.R. No. 242) in 2021, which called for the convening of a Creative Resurgence Task Force to build and foster creativity and innovation through the arts, culture, and humanities in the State. Your Committee further finds that while the Creative Resurgence Task Force has met several times since the adoption of S.C.R. No. 242, it needs additional time beyond the June 30, 2022, sunset date established by S.C.R. No. 242 to conduct its work. This measure recognizes the fruitful work done by the Creative Resurgence Task Force and requests that it continues its good work beyond June 30, 2022.

Your Committee has amended this measure by:

- (1) Extending the dissolution date of the Creative Resurgence Task Force to June 30, 2030, rather than June 30, 2024; and
- (2) Making technical, 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. 161, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 161, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1500-22 Culture, Arts, & International Affairs on H.C.R. No. 161**

The purpose of this measure is to request the Creative Resurgence Task Force to continue to examine and determine measures and establish policies and programs to build and foster creativity and innovation through the arts, culture, and humanities in the State.

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; and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in response to the devastating impact of the coronavirus disease 2019 pandemic on the State's creative economy and arts and humanities education, the Legislature adopted Senate Concurrent Resolution 242, S.D. 1, H.D. 1 (S.C.R. No. 242) in 2021, which called for the convening of a Creative Resurgence Task Force to build and foster creativity and innovation through the arts, culture, and humanities in the State. Your Committee further finds that while the Creative Resurgence Task Force has met several times since the adoption of S.C.R. No. 242, it needs additional time beyond the June 30, 2022, sunset date established by S.C.R. No. 242 to conduct its work. This measure recognizes the fruitful work done by the Creative Resurgence Task Force and requests that it continues its good work beyond June 30, 2022.

Your Committee has amended this measure by:

- (1) Extending the dissolution date of the Creative Resurgence Task Force to June 30, 2030, rather than June 30, 2024; and
- (2) Making technical, 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. 161, as amended herein, and recommends that it be referred to your Committee on Finance 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, none.

#### **SCRep. 1501-22 Culture, Arts, & International Affairs on H.R. No. 162**

The purpose of this measure is to request the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System to collaborate for the establishment of a Hawaii State Poet Laureate Program.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and one individual.

Your Committee finds that literature and poetry are a way to blend multicultural voices, languages, and traditions in a manner that promotes dialogue, pride, and understanding within the State's diverse communities and with the world. On a national level, the promotion of poetry is done through the periodic appointment of a poet laureate by the Librarian of Congress. Your Committee further finds that the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System have the qualifications to establish a Hawaii State Poet Laureate Program to nurture and connect the various cultures in Hawaii through the promotion of poetry.

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. 162 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, none.

#### **SCRep. 1502-22 Culture, Arts, & International Affairs on H.C.R. No. 162**

The purpose of this measure is to request the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System to collaborate for the establishment of a Hawaii State Poet Laureate Program.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Hawai'i Council for the Humanities, Pacific Tongues, and fourteen individuals.

Your Committee finds that literature and poetry are a way to blend multicultural voices, languages, and traditions in a manner that promotes dialogue, pride, and understanding within the State's diverse communities and with the world. On a national level, the promotion of poetry is done through the periodic appointment of a poet laureate by the Librarian of Congress. Your Committee further finds that the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System have the qualifications to establish a Hawaii State Poet Laureate Program to nurture and connect the various cultures in Hawaii through the promotion of poetry.

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. 162 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, none.

#### **SCRep. 1503-22 Culture, Arts, & International Affairs on H.R. No. 167**

The purpose of this measure is to urge the United States Congress to enact federal legislation granting statehood to the people of Washington, D.C.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Americans for Democratic Action Hawai'i; United Public Workers, AFSCME Local 646, AFL-CIO; and American Civil Liberties Union of Hawai'i.

Your Committee finds that the people of Washington, D.C., share all the responsibilities of United States citizenship, including paying federal taxes, serving on federal juries, and defending the United States as members of the United States Armed Forces. Your Committee further finds that despite having a population larger than two states and equivalent to a third state, the people of Washington, D.C., are denied full representation in Congress. This measure urges members of the United States Congress to give the people of Washington, D.C., the same rights of self-governance and citizenship as other taxpaying American citizens by enacting federal legislation granting statehood to Washington, D.C.

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. 167 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 (Ward). Noes, none. Excused, none.

**SCRep. 1504-22 Culture, Arts, & International Affairs on H.C.R. No. 167**

The purpose of this measure is to urge the United States Congress to enact federal legislation granting statehood to the people of Washington, D.C.

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 American Civil Liberties Union of Hawai'i.

Your Committee finds that the people of Washington, D.C., share all the responsibilities of United States citizenship, including paying federal taxes, serving on federal juries, and defending the United States as members of the United States Armed Forces. Your Committee further finds that despite having a population larger than two states and equivalent to a third state, the people of Washington, D.C., are denied full representation in Congress. This measure urges members of the United States Congress to give the people of Washington, D.C., the same rights of self-governance and citizenship as other taxpaying American citizens by enacting federal legislation granting statehood to Washington, D.C.

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. 167 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 (Ward). Noes, none. Excused, none.

**SCRep. 1505-22 Culture, Arts, & International Affairs on H.C.R. No. 14**

The purpose of this measure is to establish a sister-state relationship between the State of Hawaii and the Autonomous Region of Madeira, Portugal.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that Hawaii has a long and strong historical bond with the people of Madeira, beginning with the arrival in Honolulu Harbor of one hundred eight contract laborers from Madeira on September 30, 1878. Immigrants from Madeira brought elements of their culture that have become integral parts of Hawaii, such as the braguinha, which became the 'ukulele; linguça, which became Portuguese sausage; and their skills as cattlemen, whose traditions shaped Hawaii's paniolo. Your Committee further finds that the Hawaii Sister-State Committee has reviewed the Hawaii-Madeira sister-state application and has recommended that a sister-state relationship be established between Hawaii and the Autonomous Region of Madeira.

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. 14 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, none.

**SCRep. 1506-22 Culture, Arts, & International Affairs on H.R. No. 14**

The purpose of this measure is to recognize March 17 as St. Patrick's Day in honor of Saint Patrick and in recognition of the longstanding relationship between Ireland and the United States and the noteworthy contributions and achievements of Irish-Americans to the United States.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that although St. Patrick's Day began as a religious holiday, in America it has become a celebration of Irish culture and history by peoples of diverse ethnicities and cultures with parades, festivals, traditional Irish music sessions, and other activities that honor and celebrate the life of Saint Patrick and recognize the contributions and achievements of the Irish to America's melting pot of people and cultures.

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. 14 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, none.

**SCRep. 1507-22 Culture, Arts, & International Affairs on H.C.R. No. 15**

The purpose of this measure is to recognize March 17 as St. Patrick's Day in honor of Saint Patrick and in recognition of the longstanding relationship between Ireland and the United States and the noteworthy contributions and achievements of Irish-Americans to the United States.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies and one individual.

Your Committee finds that although St. Patrick's Day began as a religious holiday, in America it has become a celebration of Irish culture and history by peoples of diverse ethnicities and cultures with parades, festivals, traditional Irish music sessions, and other activities that honor and celebrate the life of Saint Patrick and recognize the contributions and achievements of the Irish to America's melting pot of people and cultures.

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. 15 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, none.

**SCRep. 1508-22 Culture, Arts, & International Affairs on H.R. No. 103**

The purpose of this measure is to recognize April 17 through April 23, 2022, as Volunteer Week in Hawaii.

Your Committee received testimony in support of this measure from Kanu Hawaii.

Your Committee finds that National Volunteer Week was first designated by President Nixon in 1974 to encourage community engagement through volunteer services. Your Committee further finds that Hawaii recognized and participated in National Volunteer Week in 2020 and 2021. This measure

mirrors national recognition of volunteers by recognizing April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii.

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. 103 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, none.

**SCRep. 1509-22 Culture, Arts, & International Affairs on H.C.R. No. 107**

The purpose of this measure is to recognize April 17 through April 23, 2022, as Volunteer Week in Hawaii.

Your Committee received testimony in support of this measure from Kanu Hawaii.

Your Committee finds that National Volunteer Week was first designated by President Nixon in 1974 to encourage community engagement through volunteer services. Your Committee further finds that Hawaii recognized and participated in National Volunteer Week in 2020 and 2021. This measure mirrors national recognition of volunteers by recognizing April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii.

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. 107 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, none.

**SCRep. 1510-22 Culture, Arts, & International Affairs on H.R. No. 119**

The purpose of this measure is to request the State Foundation on Culture and the Arts to report information relating to expenditures from the Works of Art Special Fund for the curation and preservation of Native Hawaiian art.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and one individual.

Your Committee finds that the mission of the State Foundation on Culture and the Arts is to promote, perpetuate, and preserve culture and the arts in Hawaii, many of which are supported through the Works of Art Special Fund. However, Native Hawaiian art and culture are often also displayed through oral and dance performances, which are not supported through the Works of Art Special Fund. Your Committee further finds that the State Foundation on Culture and the Arts does not report on the need to perpetuate, support, and secure Native Hawaiian culture, arts, and intellectual property or on the number, amount, or cost of art produced by artists of Native Hawaiian descent that have been collected through the Works of Art Special Fund. This measure requests the reporting of that information as a first step toward the acquisition of more Native Hawaiian art through the Works of Art Special Fund and the inclusion of performing arts as a permissible use of the Works of Art Special Fund to perpetuate Native Hawaiian cultural practices.

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. 119 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, none.

**SCRep. 1511-22 Culture, Arts, & International Affairs on H.C.R. No. 119**

The purpose of this measure is to request the State Foundation on Culture and the Arts to report information relating to expenditures from the Works of Art Special Fund for the curation and preservation of Native Hawaiian art.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts and four individuals.

Your Committee finds that the mission of the State Foundation on Culture and the Arts is to promote, perpetuate, and preserve culture and the arts in Hawaii, many of which are supported through the Works of Art Special Fund. However, Native Hawaiian art and culture are often also displayed through oral and dance performances, which are not supported through the Works of Art Special Fund. Your Committee further finds that the State Foundation on Culture and the Arts does not report on the need to perpetuate, support, and secure Native Hawaiian culture, arts, and intellectual property or on the number, amount, or cost of art produced by artists of Native Hawaiian descent that have been collected through the Works of Art Special Fund. This measure requests the reporting of that information as a first step toward the acquisition of more Native Hawaiian art through the Works of Art Special Fund and the inclusion of performing arts as a permissible use of the Works of Art Special Fund to perpetuate Native Hawaiian cultural practices.

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. 119 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, none.

**SCRep. 1512-22 Culture, Arts, & International Affairs on H.R. No. 121**

The purpose of this measure is to request the University of Hawaii to report on the Pamantasan Council's statewide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawaii's Pamantasan Council, Hawaii's Friends of Civil Rights, Sariling Gawa Youth Council, and four individuals.

Your Committee finds that while Filipino student representation has increased at the University of Hawaii at Manoa, Filipino students continue to be underrepresented at the undergraduate level and are significantly underrepresented in graduate and professional degree programs. Your Committee further finds that Filipino faculty are underrepresented at all University of Hawaii campuses, with many Filipino faculty members in temporary positions while critical, permanent faculty positions remain unfilled. This measure aids in meeting the State's goals for access, diversity, and workforce development by requesting a report on the Pamantasan Council's efforts to improve the status of Filipinos at the University of Hawaii.

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. 121 and recommends that it be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1513-22 Culture, Arts, & International Affairs on H.C.R. No. 121**

The purpose of this measure is to request the University of Hawaii to report on the Pamantasan Council's statewide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i Pamantasan Council, Hawai'i Friends of Civil Rights, Sariling Gawa Youth Council, and three individuals.

Your Committee finds that while Filipino student representation has increased at the University of Hawaii at Manoa, Filipino students continue to be underrepresented at the undergraduate level and are significantly underrepresented in graduate and professional degree programs. Your Committee further finds that Filipino faculty are underrepresented at all University of Hawaii campuses, with many Filipino faculty members in temporary positions while critical, permanent faculty positions remain unfilled. This measure aids in meeting the State's goals for access, diversity, and workforce development by requesting a report on the Pamantasan Council's efforts to improve the status of Filipinos at the University of Hawaii.

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. 121 and recommends that it be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1514-22 Culture, Arts, & International Affairs on H.R. No. 152**

The purpose of this measure is to recognize the period between 2022 and 2032 as the United Nations International Decade of Indigenous Languages.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the United Nations proclaimed 2019 as the International Year of Indigenous Languages and 2022 to 2032 as the International Decade of Indigenous Languages in response to concern that forty percent of the world's estimated six thousand seven hundred languages were in danger of disappearing and to draw attention to the urgent need to take steps at national and international levels to preserve, revitalize, and promote indigenous languages. Your Committee further finds that 'Ōlelo Hawai'i is an indigenous language of Hawai'i and is recognized as one of the official languages of the State by the Hawaii State Constitution. This measure recognizes the achievements over the past thirty-five years in restoring and revitalizing 'Ōlelo Hawai'i and upholds the spirit of the International Year of Indigenous Languages by recognizing the period between 2022 and 2032 as the United Nations International Decade of Indigenous Languages.

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 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, none.

**SCRep. 1515-22 Culture, Arts, & International Affairs on H.C.R. No. 152**

The purpose of this measure is to recognize the period between 2022 and 2032 as the United Nations International Decade of Indigenous Languages.

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

Your Committee finds that the United Nations proclaimed 2019 as the International Year of Indigenous Languages and 2022 to 2032 as the International Decade of Indigenous Languages in response to concern that forty percent of the world's estimated six thousand seven hundred languages were in danger of disappearing and to draw attention to the urgent need to take steps at national and international levels to preserve, revitalize, and promote indigenous languages. Your Committee further finds that 'Ōlelo Hawai'i is an indigenous language of Hawai'i and is recognized as one of the official languages of the State by the Hawaii State Constitution. This measure recognizes the achievements over the past thirty-five years in restoring and revitalizing 'Ōlelo Hawai'i and upholds the spirit of the International Year of Indigenous Languages by recognizing the period between 2022 and 2032 as the United Nations International Decade of Indigenous Languages.

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. 152 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, none.

**SCRep. 1516-22 Culture, Arts, & International Affairs on H.R. No. 160**

The purpose of this measure is to celebrate the ties between Hawaii and the Freely Associated States and to urge the President of the United States and United States Congress to appoint a lead negotiator to revitalize and finalize the stalled renegotiation of the Compacts of Free Association prior to the compacts' expiration.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that citizens of the Freely Associated States provide important social, cultural, and economic contributions to Hawaii. Your Committee further finds that negotiations to extend financial provisions of the Compacts of Free Association, which are set to expire in 2023 and 2024, have stalled and remain incomplete, creating a looming national security threat and threatening the ability of citizens of the Freely Associated States to access many of the United States' domestic programs. This measure celebrates the many contributions of the Compacts of Free Association population in Hawaii and the broader United States and recognizes the importance of the Compacts of Free Association to the United States and the Freely Associated States by urging the President and Congress of the United States to revitalize and finalize the stalled negotiations of the Compacts of Free Association before any portion of those compacts expire.

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. 160 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, none.

**SCRep. 1517-22 Culture, Arts, & International Affairs on H.C.R. No. 160**

The purpose of this measure is to celebrate the ties between Hawaii and the Freely Associated States and to urge the President of the United States and

United States Congress to appoint a lead negotiator to revitalize and finalize the stalled renegotiation of the Compacts of Free Association prior to the compacts' expiration.

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

Your Committee finds that citizens of the Freely Associated States provide important social, cultural, and economic contributions to Hawaii. Your Committee further finds that negotiations to extend financial provisions of the Compacts of Free Association, which are set to expire in 2023 and 2024, have stalled and remain incomplete, creating a looming national security threat and threatening the ability of citizens of the Freely Associated States to access many of the United States' domestic programs. This measure celebrates the many contributions of the Compacts of Free Association population in Hawaii and the broader United States and recognizes the importance of the Compacts of Free Association to the United States and the Freely Associated States by urging the President and Congress of the United States to revitalize and finalize the stalled negotiations of the Compacts of Free Association before any portion of those compacts expire.

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. 160 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, none.

#### **SCRep. 1518-22 Pandemic & Disaster Preparedness on H.R. No. 30**

The purpose of this measure is to request the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for areas within lava zones 1, 2, 3, 4, and 6.

Your Committee received testimony in support of this measure from six individuals. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

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 a preliminary draft 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 H.R. No. 30 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Mizuno, Wildberger).

#### **SCRep. 1519-22 Pandemic & Disaster Preparedness on H.C.R. No. 35**

The purpose of this measure is to request the Hawaii Emergency Management Agency to develop a preliminary draft evacuation plan for areas within lava zones 1, 2, 3, 4, and 6.

Your Committee received testimony in support of this measure from six individuals. Your Committee received comments on this measure from the Hawaii Emergency Management Agency.

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 a preliminary draft 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 H.C.R. No. 35 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (McKelvey, Mizuno, Wildberger).

#### **SCRep. 1520-22 Judiciary & Hawaiian Affairs on H.R. No. 128**

The purpose of this measure is to urge the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with Humane Societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and other animals in public areas.

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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 128 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

#### **SCRep. 1521-22 Judiciary & Hawaiian Affairs on H.C.R. No. 128**

The purpose of this measure is to urge the counties to more effectively and meaningfully coordinate their police enforcement and public awareness efforts with the State and with Humane Societies and other animal welfare organizations concerning the dangers posed by unleashed dogs to humans and other animals in public areas.

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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 128 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

**SCRep. 1522-22 Judiciary & Hawaiian Affairs on H.R. No. 130**

The purpose of this measure is to offer an apology to the Native Hawaiian people for the effective prohibition in Hawaii schools of the instructional use of ‘Ōlelo Hawaii from 1896 to 1986.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs. Your Committee received testimony in opposition of this measure from the Center for Hawaiian Sovereignty Studies. Your Committee received comments on this measure from one individual.

Your Committee notes this resolution is not meant to create or acknowledge any liability on behalf of the State 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 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, 10. Noes, none. Excused, 1 (Ichiyama).

**SCRep. 1523-22 Judiciary & Hawaiian Affairs on H.C.R. No. 130**

The purpose of this measure is to offer an apology to the Native Hawaiian people for the effective prohibition in Hawaii schools of the instructional use of ‘Ōlelo Hawaii from 1896 to 1986.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and three individuals. Your Committee received testimony in opposition of this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee notes this resolution is not meant to create or acknowledge any liability on behalf of the State 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 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, 10. Noes, none. Excused, 1 (Ichiyama).

**SCRep. 1524-22 Judiciary & Hawaiian Affairs on H.R. No. 157**

The purpose of this measure is to urge the allocation of additional resources to increase police presence on the Wai‘anae Coast and the creation of a new police district separate from Kapolei and ‘Ewa.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and two individuals.

Your Committee finds that that separate police districts may be beneficial for other communities in the state as well.

As 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. 157 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

**SCRep. 1525-22 Judiciary & Hawaiian Affairs on H.C.R. No. 157**

The purpose of this measure is to urge the allocation of additional resources to increase police presence on the Wai‘anae Coast and the creation of a new police district separate from Kapolei and ‘Ewa.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and six individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that separate police districts may be beneficial for other communities in the state as well.

As 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. 157 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

**SCRep. 1526-22 Judiciary & Hawaiian Affairs on H.C.R. No. 182**

The purpose of this measure is to request the City and County of Honolulu to convene a working group to develop recommendations to improve sidewalk maintenance.

Your Committee received testimony in support of this measure from 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.C.R. No. 182 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, 1 (D. Kobayashi). Excused, 1 (Ichiyama).

**SCRep. 1527-22 Judiciary & Hawaiian Affairs on H.C.R. No. 17**

The purpose of this measure is to request the Department of Land and Natural Resources to convene a task force to develop a feral ungulate management plan for West Hawaii.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Cattlemen's Council, Hawaii Wildlife Fund, Hawaii Forest Industry Association, Hui Aloha Kiholo, and three 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 17 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).



**SCRep. 1528-22 Corrections, Military, & Veterans on H.R. No. 182**

The purpose of this measure is to request that the Department of Land and Natural Resources conduct public forums in communities adjacent to large parcels of state lands that are currently leased to the military and that have leases that are scheduled for renewal or expiration within the next ten years.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Hawaii Military Affairs Council.

Your Committee finds that Article XI, section 1, of the Hawaii State Constitution provides that the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, and that all public natural resources are held in trust by the State for the benefit of the people. With sixty-five-year leases to the military due to expire within the next several years, your Committee further finds that it is time to evaluate whether those leases should be renewed or the land returned to the people of Hawaii. This measure promotes increased opportunities for the voices in surrounding communities to be heard and considered.

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. 182 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6; Ayes with Reservations (Branco, Morikawa, Tarnas). Noes, none. Excused, 2 (Kong, McDermott).

**SCRep. 1529-22 Culture, Arts, & International Affairs on H.R. No. 40**

The purpose of this measure is to encourage all counties of Hawaii to create a special number plate design for motor vehicles to commemorate the accomplishments of Carissa Kainani Moore.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Carissa Kainani Moore is the first female gold medalist in Olympic surfing history. Your Committee further finds that in addition to Ms. Moore's many accomplishments on the water, she is an outstanding member of Hawaii's community and has donated her time and resources to numerous causes including support for charities, local surf clubs, speaking out against sexism and body-shaming, and bringing attention to eating disorders. This measure recognizes and honors Ms. Moore's contributions in and out of the water by encouraging all counties in the State to create a special number plate to commemorate her accomplishments.

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. 40 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1530-22 Culture, Arts, & International Affairs on H.C.R. No. 45**

The purpose of this measure is to encourage all counties of Hawaii to create a special number plate design for motor vehicles to commemorate the accomplishments of Carissa Kainani Moore.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Carissa Kainani Moore is the first female gold medalist in Olympic surfing history. Your Committee further finds that in addition to Ms. Moore's many accomplishments on the water, she is an outstanding member of Hawaii's community and has donated her time and resources to numerous causes including support for charities, local surf clubs, speaking out against sexism and body-shaming, and bringing attention to eating disorders. This measure recognizes and honors Ms. Moore's contributions in and out of the water by encouraging all counties in the State to create a special number plate to commemorate her accomplishments.

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. 45 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1531-22 Culture, Arts, & International Affairs on H.R. No. 106**

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 a sister-state relationship with Auckland, New Zealand, will be highly beneficial to Hawaii economically and culturally and will allow the State to further develop bonds of goodwill, friendship, and economic relations on an international level.

Your Committee has amended this measure by:

- (1) Requesting the Hawaii Sister-State Committee to form a sister-state relationship with the Auckland Region, New Zealand, rather than the city of Auckland, New Zealand; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the record of votes of the members of your Committee on 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, 7. Noes, none. Excused, none.

**SCRep. 1532-22 Culture, Arts, & International Affairs on H.C.R. No. 110**

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 a sister-state relationship with Auckland, New Zealand, will be highly beneficial to Hawaii economically and culturally and will allow the State to further develop bonds of goodwill, friendship, and economic relations on an international level.

Your Committee has amended this measure by:

- (1) Requesting the Hawaii Sister-State Committee to form a sister-state relationship with the Auckland Region, New Zealand, rather than the city of Auckland, New Zealand; and
- (2) Amending its title in accordance with its amended purpose.

As affirmed by the record of votes of the members of your Committee on Culture, Arts, & International Affairs 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 Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 110, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1533-22 Culture, Arts, & International Affairs on H.R. No. 148**

The purpose of this measure is to endorse and adopt the Treaty on the Prohibition of Nuclear Weapons and urge federal leaders to make nuclear disarmament the centerpiece of the United States' national security policy.

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

Your Committee finds that more than fourteen thousand nuclear warheads are still in existence, with the bulk of the world's nuclear arsenal held by the United States and Russia. Your Committee further finds that in July 2017, one hundred twenty-two nations called for the elimination of all nuclear weapons by adopting the Treaty on the Prohibition of Nuclear Weapons. This measure recognizes the intolerable threat to human life posed by the threat of nuclear war and urges federal leaders to embrace the Treaty on the Prohibition of Nuclear Weapons and make nuclear disarmament the centerpiece of the United States' national security policy.

Your Committee has amended this measure by:

- (1) Amending the title to more accurately reflect the measure's 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 148, 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. 148, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, none.

#### **SCRep. 1534-22 Culture, Arts, & International Affairs on H.C.R. No. 148**

The purpose of this measure is to endorse and adopt the Treaty on the Prohibition of Nuclear Weapons and urge federal leaders to make nuclear disarmament the centerpiece of the United States' national security policy.

Your Committee received testimony in support of this measure from the Malu 'Aina Center for Non-Violent Education & Action; Veterans for Peace, Hawai'i Chapter 113; and ten individuals.

Your Committee finds that more than fourteen thousand nuclear warheads are still in existence, with the bulk of the world's nuclear arsenal held by the United States and Russia. Your Committee further finds that in July 2017, one hundred twenty-two nations called for the elimination of all nuclear weapons by adopting the Treaty on the Prohibition of Nuclear Weapons. This measure recognizes the intolerable threat to human life posed by the threat of nuclear war and urges federal leaders to embrace the Treaty on the Prohibition of Nuclear Weapons and make nuclear disarmament the centerpiece of the United States' national security policy.

Your Committee has amended this measure by:

- (1) Amending the title to more accurately reflect the measure's 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 148, 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. 148, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, none.

#### **SCRep. 1535-22 Culture, Arts, & International Affairs on H.R. No. 159**

The purpose of this measure is to recognize the historic, cultural, and strategic connections among the peoples of Oceania, of which Hawai'i is a part, and to urge greater collaboration with governments of these nations and implementation of programs and training to combat discrimination against Pacific Island communities.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission.

Your Committee finds that Hawaii shares significant and deep historic ties with other nations comprising Oceania. Your Committee further finds that it is in the best interest of the State to deepen and strengthen those ties, celebrate the diverse natures and cultures of Oceania, collaborate and exchange best practices on commonly shared policy issues, and implement programs and trainings to combat discrimination against Pacific Island communities.

Your Committee has amended this measure by:

- (1) Amending its title;
- (2) Including the President of the Association of Pacific Island Legislatures as a recipient of a certified copy 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 Culture, Arts, & International Affairs 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 Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 159, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1536-22 Culture, Arts, & International Affairs on H.C.R. No. 159**

The purpose of this measure is to recognize the historic, cultural, and strategic connections among the peoples of Oceania, of which Hawai'i is a part, and to urge greater collaboration with governments of these nations and implementation of programs and training to combat discrimination against Pacific Island communities.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission and four individuals.

Your Committee finds that Hawaii shares significant and deep historic ties with other nations comprising Oceania. Your Committee further finds that it is in the best interest of the State to deepen and strengthen those ties, celebrate the diverse natures and cultures of Oceania, collaborate and exchange best practices on commonly shared policy issues, and implement programs and trainings to combat discrimination against Pacific Island communities.

Your Committee has amended this measure by:

- (1) Amending its title;
- (2) Including the President of the Association of Pacific Island Legislatures as a recipient of a certified copy 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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 159, 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. 159, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1537-22 Culture, Arts, & International Affairs on H.R. No. 105**

The purpose of this measure is to designate the Waianae Moku Kupuna Council as an advisory resource to the elected members of the legislature of the state of Hawaii representing the Waianae Moku community.

Your committee has received testimony in support of the measure from two individuals.

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 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, none.

**SCRep. 1538-22 Culture, Arts, & International Affairs on H.C.R. No. 109**

The purpose of this measure is to designate the Waianae Moku Kupuna Council as an advisory resource to the elected members of the legislature of the state of Hawaii representing the Waianae Moku community.

Your committee has received testimony in support of the measure from one individual.

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. 109 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, none.

**SCRep. 1539-22 Culture, Arts, & International Affairs on H.C.R. No. 27**

The purpose of this measure is to request:

- (1) The United States Census Bureau to re-designate the census-designated place known as Captain Cook on the island of Hawaii as Ka'awaloa; and
- (2) Hawaii County to remove all references to Captain Cook as a place name on the island of Hawaii.

Your Committee received testimony in support of this measure from The KoLab and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

Your Committee finds that Captain Cook is a census-designated place in South Kona named after the area's post office, which was located in the Captain Cook Coffee Company during the early 1900s. Your Committee further finds that prior to being designated as Captain Cook, the area was home to a thriving Hawaiian village and royal residence known as Ka'awaloa. Your Committee finds re-designating the area as Ka'awaloa would recognize and honor the rich and storied history of Hawaii.

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 Culture, Arts, & International Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 27, 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. 27, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7; Ayes with Reservations (Ward). Noes, none. Excused, none.

**SCRep. 1540-22 Legislative Management on H.R. No. 112**

The purpose of this measure is to request the State House of Representatives to create a Department of Hawaiian Home Lands Housing Construction Oversight Committee.

Your Committee received testimony in opposition to this measure from the Department of Hawaiian Home Lands.

Your Committee finds that the investment of \$600,000,000 toward the implementation of the Hawaiian Homes Commission Act would represent a historic infusion of resources to address the needs of thousands of beneficiaries on the Department of Hawaiian Home Lands waiting list. This measure intends to provide a mechanism for oversight of those funds.

Your Committee has amended this measure by:

- (1) Establishing the oversight committee, rather than requesting it be established;
- (2) Amending its title accordingly;
- (3) Requesting the Speaker of the House of Representatives to appoint the members of the oversight committee and specifying their qualifications; 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 Legislative Management 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, 5. Noes, none. Excused, 1 (Belatti).

#### **SCRep. 1541-22 Transportation on H.R. No. 153**

The purpose of this measure is to urge the counties to:

- (1) Develop an option that allows residents to remit their motor vehicle registration taxes and fees on a pro-rated biannual basis; and
- (2) Consider a process that establishes a moratorium on motor vehicle registration taxes and fees.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that while motor vehicles are often necessary for travel to and from work and to carry out other daily activities, some low-income individuals may not be able to pay the taxes and fees associated with motor vehicle registration in lump sum or may experience financial hardship in doing so. Additionally, if an individual is unable to pay for the taxes and fees associated with motor vehicle registration and incurs a penalty for late registration of the motor vehicle, the cycle of financial hardship on the individual continues and the fiscal responsibilities increase as delinquent fees and other costs continue to mount. Allowing low-income and other qualified individuals to pay their motor vehicle registration taxes and fees on a pro-rated semiannual basis may alleviate the financial hardships associated with transportation in the State.

Your Committee has amended this measure by:

- (1) Clarifying the requested option for residents to remit their motor vehicle registration taxes and fees to be on a pro-rated semiannual, rather than biannual, basis;
- (2) Deleting language urging the counties to establish a moratorium on motor vehicle registration taxes and fees;
- (3) Amending its title in accordance with its amended purpose; 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. 153, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 153, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1542-22 Transportation on H.C.R. No. 153**

The purpose of this measure is to urge the counties to:

- (1) Develop an option that allows residents to remit their motor vehicle registration taxes and fees on a pro-rated biannual basis; and
- (2) Consider a process that establishes a moratorium on motor vehicle registration taxes and fees.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that while motor vehicles are often necessary for travel to and from work and to carry out other daily activities, some low-income individuals may not be able to pay the taxes and fees associated with motor vehicle registration in lump sum or may experience financial hardship in doing so. Additionally, if an individual is unable to pay for the taxes and fees associated with motor vehicle registration and incurs a penalty for late registration of the motor vehicle, the cycle of financial hardship on the individual continues and the fiscal responsibilities increase as delinquent fees and other costs continue to mount. Allowing low-income and other qualified individuals to pay their motor vehicle registration taxes and fees on a pro-rated semiannual basis may alleviate the financial hardships associated with transportation in the State.

Your Committee has amended this measure by:

- (1) Clarifying the requested option for residents to remit their motor vehicle registration taxes and fees to be on a pro-rated semiannual, rather than biannual, basis;
- (2) Deleting language relating to the establishment of a moratorium on motor vehicle registration taxes and fees;
- (3) Amending its title in accordance with its amended purpose; 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. 153, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 153, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1543-22 Transportation on H.R. No. 180**

The purpose of this measure is to request the Department of Transportation to convene a working group and various federal, state, and county committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report.

Your Committee received testimony in support of this measure from the Department of Transportation; Young Brothers, LLC; and Hawaii Harbor Users Group.

Your Committee finds that a Water Carriers Working Group was convened in 2020 to recommend mid-term and long-term solutions to balance the need for continuous interisland water carrier service throughout the State with the need for water carriers to maintain financial sustainability. The Water Carriers Working Group's final report recommended, among other things, that the Department of Transportation convene a working group and various federal, state, and county committees to create and recommend various government subsidies for the transport of waterborne cargo. This measure ensures that those recommendations are further pursued to address Hawaii's high dependency on the import of goods.

Your Committee has amended this measure by:

- (1) Amending the composition of the working group by:
  - (A) Adding representation from the Public Utilities Commission, Hawaii Farm Bureau, a labor organization that represents longshoremen, and Hawaii Cattlemen's Council; and
  - (B) Removing the Chairpersons of the Senate and House of Representatives Standing Committees on Transportation; and
- (2) Making technical, 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. 180, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 180, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1544-22 Transportation on H.C.R. No. 180**

The purpose of this measure is to request the Department of Transportation to convene a working group and various federal, state, and county committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report.

Your Committee received testimony in support of this measure from the Department of Agriculture; Department of Transportation; Young Brothers, LLC; and Hawaii Harbor Users Group.

Your Committee finds that a Water Carriers Working Group was convened in 2020 to recommend mid-term and long-term solutions to balance the need for continuous interisland water carrier service throughout the State with the need for water carriers to maintain financial sustainability. The Water Carriers Working Group's final report recommended, among other things, that the Department of Transportation convene a working group and various federal, state, and county committees to create and recommend various government subsidies for the transport of waterborne cargo. This measure ensures that those recommendations are further pursued to address Hawaii's high dependency on the import of goods.

Your Committee has amended this measure by:

- (1) Amending the composition of the working group by:
  - (A) Adding representation from the Public Utilities Commission, Hawaii Farm Bureau, a labor organization that represents longshoremen, and Hawaii Cattlemen's Council; and
  - (B) Removing the Chairpersons of the Senate and House of Representatives Standing Committees on Transportation; and
- (2) Making technical, 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. 180, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 180, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1545-22 Higher Education & Technology on H.R. No. 118**

The purpose of this measure is to urge the Public Utilities Commission to develop and adopt an efficient, streamlined process for reviewing electric utilities' requests to provide middle mile broadband services, as authorized under section 269-19, Hawaii Revised Statutes, in furtherance of the State's efforts to expedite broadband access and equity.

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

Your Committee finds that it is vitally important that broadband capacity be developed to reach all communities throughout Hawaii, particularly unserved and underserved areas. This measure is a step in that direction.

Your Committee has amended this measure by:

- (1) Specifically urging the Public Utilities Commission to develop and adopt an efficient, streamlined process for reviewing electric utilities' requests to provide middle mile broadband services, as authorized under section 269-19, Hawaii Revised Statutes, in furtherance of the State's efforts to promote expeditious broadband deployment to areas of the State that are unserved and underserved;
- (2) Amending its title accordingly; 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 H.R. No. 118, 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. 118, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Ohno, Quinlan, Woodson).

**SCRep. 1546-22 Higher Education & Technology on H.C.R. No. 118**

The purpose of this measure is to urge the Public Utilities Commission to develop and adopt an efficient, streamlined process for reviewing electric utilities' requests to provide middle mile broadband services, as authorized under section 269-19, Hawaii Revised Statutes, in furtherance of the State's efforts to expedite broadband access and equity.

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

Your Committee finds that it is vitally important that broadband capacity be developed to reach all communities throughout Hawaii, particularly unserved and underserved areas. This measure is a step in that direction.

Your Committee has amended this measure by:

- (1) Specifically urging the Public Utilities Commission to develop and adopt an efficient, streamlined process for reviewing electric utilities' requests to provide middle mile broadband services, as authorized under section 269-19, Hawaii Revised Statutes, in furtherance of the State's efforts to promote expeditious broadband deployment to areas of the State that are unserved and underserved;
- (2) Amending its title accordingly; 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 H.C.R. No. 118, 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. 118, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Ohno, Quinlan, Woodson).

**SCRep. 1547-22 Health, Human Services, & Homelessness on H.C.R. No. 28**

The purpose of this measure is to request the Auditor to assess the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

Your Committee received testimony in support of this measure from Kaiser Permanente, Hawaii Society of Clinical Oncology, Alliance for Fertility Preservation, and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Hawaii Medical Service Association and Hawaii Association of Health Plans.

Your committee notes the testimony provided by Kaiser Permanente and Hawaii Medical Service Association that the study be further refined to include ethical and legal issues surrounding the rights and entitlements with respect to the cryopreserved material, as well as the legal rights of offspring conceived posthumously, including contract remedies, i.e., cryobank agreement, to address the storage and disposition of the cryopreserved material.

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. 28 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, none.

**SCRep. 1548-22 Health, Human Services, & Homelessness on H.C.R. No. 33**

The purpose of this measure is to request the Auditor to conduct a social and financial assessment of proposed mandatory health insurance coverage for early access breast cancer screening.

Your Committee received testimony in support of this measure from the University of Hawaii Cancer Center, Hawaii Radiological Society, Hawaii Medical Association, CHI Lifestyle Medical Center, Hawaii Society of Clinical Oncology, the University of Hawaii, and three individuals. Your Committee received comments on this measure from one individual.

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. 33 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, none.

**SCRep. 1549-22 Health, Human Services, & Homelessness on H.R. No. 33**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Department of Health, Hawaii State Hospital, and Hawaii Information Portal

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association. Your Committee received comments on this measure from the Office of the Auditor.

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. 33 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, none.

**SCRep. 1550-22 Health, Human Services, & Homelessness on H.C.R. No. 38**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Department of Health, Hawaii State Hospital, and the Hawaii

Information Portal.

Your Committee received testimony in support of this measure from The Office of Enterprise Technology Services, Hawaii Government Employees Association, and eight individuals. Your Committee received comments on this measure from the Office of the Auditor.

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. 38 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, none.

#### **SCRep. 1551-22 Health, Human Services, & Homelessness on H.R. No. 62**

The purpose of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your committee received testimony in support of this measure from Hawaii State Executive Office on Early Learning, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy and two individuals.

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. 62 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, none.

#### **SCRep. 1552-22 Health, Human Services, & Homelessness on H.C.R. No. 69**

The purpose of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your Committee received testimony in support of this measure from Hawaii State Council on Developmental Disabilities, Hawaii State Executive Office on Early Learning, Hawaii State Department of Education, Hawaii Association of Psychologists, Hawaii Children's Action Network Speaks!, Early Childhood Action Strategy and four individuals.

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. 69 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, none.

#### **SCRep. 1553-22 Health, Human Services, & Homelessness on H.R. No. 77**

The purpose of this measure is to request the Office of the Auditor to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services.

Your Committee received testimony in opposition to this measure from the Department of Human Services and the Hawaii Family Advocacy Team.

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. 77 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, none.

#### **SCRep. 1554-22 Health, Human Services, & Homelessness on H.C.R. No. 86**

The purpose of this measure to request the Office of the Auditor to conduct a performance audit of the Child Welfare Services Branch of the Department of Human Services.

Your Committee received testimony in support of this measure from the Waimanalo Neighborhood Board and eight individuals. Your Committee received testimony in opposition to this measure from the Department of Human Services and the Hawaii Family Advocacy Team.

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 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, none.

#### **SCRep. 1555-22 Judiciary & Hawaiian Affairs on H.R. No. 66**

The purpose of this measure is to urge each county to curb the proliferation of illegal vacation rental units by:

- (1) Conducting expedited foreclosures on illegal vacation 12 rental properties that have an amount in arrears with 13 the applicable county and the State of over \$5,000;
- (2) Imposing increased minimum levels of fines to 16 discourage repeat offenses; and
- (3) Refraining from reducing fine amounts for violators.

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. 66 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

#### **SCRep. 1556-22 Judiciary & Hawaiian Affairs on H.C.R. No. 73**

The purpose of this measure is to urge each county to curb the proliferation of illegal vacation rental units by:

- (1) Conducting expedited foreclosures on illegal vacation 12 rental properties that have an amount in arrears with 13 the applicable county and the State of over \$5,000;

- (2) Imposing increased minimum levels of fines to 16 discourage repeat offenses; and
- (3) Refraining from reducing fine amounts for violators.

Your Committee did not receive testimony on this measure.

As 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. 73 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (Ichiyama).

#### **SCRep. 1557-22 Transportation on H.R. No. 156**

The purpose of this measure is to:

- (1) Request the Department of Transportation to take all necessary steps to expedite work on the Maipalaoa Bridge in Maili, Oahu and improve traffic signal support on the Waianae Coast;
- (2) Request the Department of Transportation and City and County of Honolulu's Department of Transportation Services to work together to expedite the connection of all vital traffic signals on the Waianae Coast to the Joint Traffic Management Center;
- (3) Request the Department of Transportation to allocate additional resources to the Waianae Coast to maintain, repair, and secure traffic signals and sensors in a timely manner; and
- (4) Urge the State, City and County of Honolulu, federal entities, and private land owners to work together to immediately open the section of the Waianae Coast Emergency Access Road System extending Paakea Road out to Lualualei Naval Road to be used as a parallel route for the Waianae Coast on a permanent basis.

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

Your Committee finds that traffic on the Leeward Coast of Oahu can be frustrating for many residents, since only one public highway leads into and out of the region. Therefore, it is critical to expedite road maintenance work in the area, as well as provide alternative routes.

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. 156 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1558-22 Transportation on H.C.R. No. 156**

The purpose of this measure is to:

- (1) Request the Department of Transportation to take all necessary steps to expedite work on the Maipalaoa Bridge in Maili, Oahu and improve traffic signal support on the Waianae Coast;
- (2) Request the Department of Transportation and City and County of Honolulu's Department of Transportation Services to work together to expedite the connection of all vital traffic signals on the Waianae Coast to the Joint Traffic Management Center;
- (3) Request the Department of Transportation to allocate additional resources to the Waianae Coast to maintain, repair, and secure traffic signals and sensors in a timely manner; and
- (4) Urge the State, City and County of Honolulu, federal entities, and private land owners to work together to immediately open the section of the Waianae Coast Emergency Access Road System extending Paakea Road out to Lualualei Naval Road to be used as a parallel route for the Waianae Coast on a permanent basis.

Your Committee received testimony in support of this measure from the Department of Transportation and several individuals.

Your Committee finds that traffic on the Leeward Coast of Oahu can be frustrating for many residents, since only one public highway leads into and out of the region. Therefore, it is critical to expedite road maintenance work in the area, as well as provide alternative routes.

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. 156 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 8. Noes, none. Excused, 1 (Kitagawa).

#### **SCRep. 1559-22 Health, Human Services, & Homelessness on H.R. No. 155**

The purpose of this measure is to urge the City and County of Honolulu and Honolulu Police Department to address the ongoing houselessness crisis and develop solutions for providing care and services for these individuals while ensuring community safety.

Your Committee received comments on this measure from Hawaii State Governor's Coordinator on Homelessness.

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. 155 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, none.

#### **SCRep. 1560-22 Health, Human Services, & Homelessness on H.C.R. No. 155**

The purpose of this measure to urge the City and County of Honolulu and Honolulu Police Department to address the ongoing houselessness crisis and develop solutions for providing care and services for these individuals while ensuring community safety.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from Hawaii State Governor's Coordinator on Homelessness.

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. 155 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1561-22 Housing on H.R. No. 89**

The purpose of this measure is to convene a working group on the governance of housing subdivisions in the Puna District, Hawaii County.

Your Committee did not receive any testimony on this measure.

Your Committee finds that certain large subdivisions that were approved in the 1960s did not require the creation of a homeowners' association for the governance of shared roads or other services in the subdivision. Your Committee also finds that in the absence of a homeowners' association or other entity to collect maintenance fees from homeowners to cover large community expenses, such as the maintenance and improvement of subdivision roads and other services on the property, subdivision roads and other public spaces in these subdivisions fell into disrepair, which has led to health and safety concerns in the community. This measure addresses the concerns of these subdivisions by convening a working group to review procedures and administrative rules governing condominium associations to establish a framework for the governance of subdivisions without a homeowners' association.

Your Committee has amended this measure by:

- (1) Requesting the Department of Commerce and Consumer Affairs to convene the working group;
- (2) Amending the composition of the working group and updating the recipients of certified copies of this measure accordingly;
- (3) Amending its title in accordance with its amended purpose; 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. 89, 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. 89, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Clark, LoPresti, McDermott).

**SCRep. 1562-22 Housing on H.C.R. No. 95**

The purpose of this measure is to convene a working group on the governance of housing subdivisions in the Puna District, Hawaii County.

Your Committee received testimony in support of this measure from the Hawaii Council of Community Associations.

Your Committee finds that certain large subdivisions that were approved in the 1960s did not require the creation of a homeowners' association for the governance of shared roads or other services in the subdivision. Your Committee also finds that in the absence of a homeowners' association or other entity to collect maintenance fees from homeowners to cover large community expenses, such as the maintenance and improvement of subdivision roads and other services on the property, subdivision roads and other public spaces in these subdivisions fell into disrepair, which has led to health and safety concerns in the community. This measure addresses the concerns of these subdivisions by convening a working group to review procedures and administrative rules governing condominium associations to establish a framework for the governance of subdivisions without a homeowners' association.

Your Committee has amended this measure by:

- (1) Requesting the Department of Commerce and Consumer Affairs to convene the working group;
- (2) Amending the composition of the working group and updating the recipients of certified copies of this measure accordingly;
- (3) Amending its title in accordance with its amended purpose; 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. 95, 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. 95, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Clark, LoPresti, McDermott).

**SCRep. 1563-22 Housing on H.R. No. 170**

The purpose of this measure is to urge the counties to utilize an empty homes tax, similar to the Vancouver, British Columbia empty homes tax, as a means of addressing affordable housing in the State.

Your Committee received testimony in support of this measure from the Church of the Crossroads, Faith Action for Community Equity, and one individual. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that property taxes in the State are among the lowest in the nation. In addition, about one fourth of all housing in the State is owned by people who do not reside in Hawaii. Your Committee also finds that a significant number of residential properties are vacant, which has a negative impact on the State's housing supply by taking housing units out of the housing market and contributing to the scarcity of affordable housing. An empty homes tax, which is a tax imposed on property owners to reduce empty or under-utilized residential property, would help convert existing investment properties into housing for residents, encourage long-term rentals, and generate revenues.

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. 170 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 (Clark, LoPresti, McDermott).

**SCRep. 1564-22 Housing on H.C.R. No. 170**

The purpose of this measure is to urge the counties to utilize an empty homes tax, similar to the Vancouver, British Columbia empty homes tax, as a means of addressing affordable housing in the State.

Your Committee received testimony in support of this measure from the Church of the Crossroads, Faith Action for Community Equity, and six individuals. Your Committee received comments on this measure from the Grassroot Institute of Hawaii.

Your Committee finds that property taxes in the State are among the lowest in the nation. In addition, about one fourth of all housing in the State is owned by people who do not reside in Hawaii. Your Committee also finds that a significant number of residential properties are vacant, which has a negative impact on the State's housing supply by taking housing units out of the housing market and contributing to the scarcity of affordable housing. An empty homes tax, which is a tax imposed on property owners to reduce empty or under-utilized residential property, would help convert existing investment properties into housing for residents, encourage long-term rentals, and generate revenues.

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. 170 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 (Clark, LoPresti, McDermott).

#### **SCRep. 1565-22 Water & Land on H.R. No. 136**

The purpose of this measure is to request the City and County of Honolulu to lead community education workshops regarding the recommendations of the North Shore coastal resilience working group and seek public input from individuals and organizations for the development of a comprehensive and community-driven coastal resilience plan for the North Shore of O'ahu.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the North Shore Coastal Resilience Working Group has been meeting since September 2021 to discuss coastal resilience and adaptation, and anticipates issuing recommendations in the summer of 2022. This measure seeks to further the development of a coastal resilience plan for the North Shore of O'ahu to address coastal erosion and coastal hazards through an inclusive public engagement process.

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. 136 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. 1566-22 Water & Land on H.C.R. No. 136**

The purpose of this measure is to request the City and County of Honolulu to lead community education workshops regarding the recommendations of the North Shore coastal resilience working group and seek public input from individuals and organizations for the development of a comprehensive and community-driven coastal resilience plan for the North Shore of O'ahu.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the North Shore Coastal Resilience Working Group has been meeting since September 2021 to discuss coastal resilience and adaptation, and anticipates issuing recommendations in the summer of 2022. This measure seeks to further the development of a coastal resilience plan for the North Shore of O'ahu to address coastal erosion and coastal hazards through an inclusive public engagement process.

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. 136 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. 1567-22 Water & Land on H.R. No. 140**

The purpose of this measure is to recognize Ernest "Ernie" Lau and his role in protecting Hawai'i's water supply, and to establish the "Ernie Lau Water Protect Poster Contest."

Your Committee received testimony in support of this measure from the City and County of Honolulu Board of Water Supply; Hawai'i County Department of Water Supply; Kūpuna for the Mo'opuna; Environmental Caucus of the Democratic Party of Hawai'i; Progressive Democrats of Hawai'i; and two individuals.

Your Committee finds that, throughout his career in public service, Ernest Lau has been a dedicated advocate for the protection of Hawai'i's water resources. Mr. Lau's resolute leadership has been particularly crucial during the Red Hill fuel crisis, earning admiration and respect from the public at large. Your Committee believes a student poster contest would honor Ernest's dedicated service and further public discussion and consideration of water resource protection. The Board of Water Supply already holds an annual "Poster & Poetry Contest," and therefore has the means and expertise to incorporate the "Ernie Lau Water Protector Poster Contest."

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. 140 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. 1568-22 Water & Land on H.C.R. No. 140**

The purpose of this measure is to recognize Ernest "Ernie" Lau and his role in protecting Hawai'i's water supply, and to establish the "Ernie Lau Water Protect Poster Contest."

Your Committee received testimony in support of this measure from the City and County of Honolulu Board of Water Supply; Hawai'i County Department of Water Supply; Kūpuna for the Mo'opuna; Environmental Caucus of the Democratic Party of Hawai'i; Progressive Democrats of Hawai'i; Malu 'Aina; Shimanchu Wai Protectors – Ukwanshin Kabudan; and seventeen individuals.

Your Committee finds that, throughout his career in public service, Ernest Lau has been a dedicated advocate for the protection of Hawai'i's water resources. Mr. Lau's resolute leadership has been particularly crucial during the Red Hill fuel crisis, earning admiration and respect from the public at large. Your Committee believes a student poster contest would honor Ernest's dedicated service and further public discussion and consideration of water resource protection. The Board of Water Supply already holds an annual "Poster & Poetry Contest," and therefore has the means and expertise to incorporate the "Ernie

Lau Water Protector Poster Contest."

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. 140 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. 1569-22 Water & Land on H.C.R. No. 79**

The purpose of this measure is to request that a working group be convened to make recommendations to prevent the re-occurrence of wildfires on Wa'ahila Ridge and to submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days before the convening of the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources; and three individuals.

Your Committee finds that the Wa'ahila Ridge is highly vulnerable to wildfires due to a variety of environmental conditions and land management characteristics. Within the last decade, there have been four wildfires on the ridge, with the most recent one burning over fifty acres. The findings of this working group could also prove applicable to other Counties and jurisdictions that are susceptible to wildfires.

Your Committee has amended this measure by adding, as members of the working group:

- (1) The President of the University of Hawai'i, or the President's designee;
- (2) The Chairperson of the City and County of Honolulu Board of Water Supply Board of Directors, or the Chair's designee;
- (3) The Fire Chief of the Honolulu Fire Department, or the Fire Chief's designee;
- (4) The Director of Human Services, or the Director's designee; and
- (5) A representative of public recreational advocacy interests.

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. 79, 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. 79, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1570-22 Energy & Environmental Protection on H.R. No. 41**

The purpose of this measure is to request the Hawaii State Energy Office to engage the United States Department of Energy to establish a permanent presence within the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Hawaii State Energy Office; Hawaiian Electric Company; Hawaii Technology Development Corporation; Hawai'i Gas; Pacific International Center for High Technology Research; and Alexander & Baldwin.

Your Committee finds that the United States Department of Energy has a long-established presence in Hawaii through collaboration among its various offices and national laboratories with state and county agencies, the private sector, and local communities. Establishing a permanent presence for the United States Department of Energy in the State would further strengthen collaborative efforts to promote clean energy in the State and throughout the Indo-Pacific region.

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. 41 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. 1571-22 Energy & Environmental Protection on H.C.R. No. 46**

The purpose of this measure is to request the Hawaii State Energy Office to engage the United States Department of Energy to establish a permanent presence within the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Business, Economic Development, and Tourism; Hawaii Green Infrastructure Authority; Hawaii State Energy Office; Hawaiian Electric Company; Natural Energy Laboratory of Hawaii Authority; Hawaii Technology Development Corporation; Hawai'i Gas; Pacific International Center for High Technology Research; Alexander & Baldwin; and two individuals.

Your Committee finds that the United States Department of Energy has a long-established presence in Hawaii through collaboration among its various offices and national laboratories with state and county agencies, the private sector, and local communities. Establishing a permanent presence for the United States Department of Energy in the State would further strengthen collaborative efforts to promote clean energy in the State and throughout the Indo-Pacific region.

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. 46 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. 1572-22 Energy & Environmental Protection on H.R. No. 42**

The purpose of this measure is to request the Hawaii State Energy Office to convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes and rules or other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaiian Electric Company, Climate Protectors Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public

Utilities Commission.

Your Committee finds that as residents continue to adopt the use of electric vehicles in the State, the demand for charging infrastructure continues to grow. Additionally, the lack of adequate electric vehicle infrastructure, especially in multi-unit dwellings, is a major barrier to the adoption of electric vehicles. Therefore, it is critical to examine the current state of the technology for electric vehicle charging system installations in multi-unit dwellings to further facilitate the installation of additional charging infrastructure.

Your Committee has amended this measure by:

- (1) Amending the composition of the working group by:
  - (A) Removing one of the individuals who sit on the board of directors of an association of apartment owners and clarifying that the remaining individual be appointed by the Chief Energy Officer of the Hawaii State Energy Office;
  - (B) Replacing the representatives from the Blue Planet Foundation and Hawaii Electric Vehicle Association with one representative from a non-profit organization that works on electrification of transportation policy;
  - (C) Adding representatives from Hawaiian Electric Company and the Kauai Island Utility Cooperative; and
  - (D) Allowing the convenor of the working group to add additional members;
- (2) Amending its title in accordance with its amended purpose; 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 concurs with the intent and purpose of H.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 H.R. No. 42, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1573-22 Energy & Environmental Protection on H.C.R. No. 47**

The purpose of this measure is to request the Hawaii State Energy Office to convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes and rules or other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Alliance for Automotive Innovation, Hawaiian Electric Company, Climate Protectors Hawai'i, Uluopono Initiative, and Tesla. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that as residents continue to adopt the use of electric vehicles in the State, the demand for charging infrastructure continues to grow. Additionally, the lack of adequate electric vehicle infrastructure, especially in multi-unit dwellings, is a major barrier to the adoption of electric vehicles. Therefore, it is critical to examine the current state of the technology for electric vehicle charging system installations in multi-unit dwellings to further facilitate the installation of additional charging infrastructure.

Your Committee has amended this measure by:

- (1) Amending the composition of the working group by:
  - (A) Removing one of the individuals who sit on the board of directors of an association of apartment owners and clarifying that the remaining individual be appointed by the Chief Energy Officer of the Hawaii State Energy Office;
  - (B) Replacing the representatives from the Blue Planet Foundation and Hawaii Electric Vehicle Association with one representative from a non-profit organization that works on electrification of transportation policy;
  - (C) Adding representatives from Hawaiian Electric Company and the Kauai Island Utility Cooperative; and
  - (D) Allowing the convenor of the working group to add additional members;
- (2) Amending its title in accordance with its amended purpose; 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 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 Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 47, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1574-22 Energy & Environmental Protection on H.R. No. 47**

The purpose of this measure is to request:

- (1) The Governor to endorse the Ellen MacArthur Foundation and the United Nations Environment Programme's New Plastics Economy Global Commitment; and
- (2) The Office of Planning and Sustainable Development to set targets to fulfill the New Plastics Economy Global Commitment.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the wasteful use of plastics continues to threaten the State's health and environment. Adoption of the New Plastics Economy Global Commitment would reduce reliance on single-plastic products and limit the production of plastic waste, propelling the State toward greater sustainability.

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. 47 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. 1575-22 Energy & Environmental Protection on H.C.R. No. 52**

The purpose of this measure is to request:

- (1) The Governor to endorse the Ellen MacArthur Foundation and the United Nations Environment Programme's New Plastics Economy Global Commitment; and
- (2) The Office of Planning and Sustainable Development to set targets to fulfill the New Plastics Economy Global Commitment.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that the wasteful use of plastics continues to threaten the State's health and environment. Adoption of the New Plastics Economy Global Commitment would reduce reliance on single-plastic products and limit the production of plastic waste, propelling the State toward greater sustainability.

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. 52 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. 1576-22 Energy & Environmental Protection on H.R. No. 107**

The purpose of this measure is to encourage the City and County of Honolulu to expand and improve services at the Waianae Convenience Center.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Waianae Convenience Center, operated by the Department of Environmental Services Refuse Division of the City and County of Honolulu, is the only refuse center located on the west side of Oahu for residents to legally dispose of bulky items and other waste. However, due to extreme wait times and other issues, residents are forced to drive with heavy loads of bulky items or other waste on or in their vehicles, which creates unsafe conditions or danger in transporting the bulky items. Therefore, it is critical to ensure that the Waianae Convenience Center is adequately staffed and resourced to improve its services for local residents.

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. 107 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. 1577-22 Energy & Environmental Protection on H.C.R. No. 111**

The purpose of this measure is to encourage the City and County of Honolulu to expand and improve services at the Waianae Convenience Center.

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

Your Committee finds that the Waianae Convenience Center, operated by the Department of Environmental Services Refuse Division of the City and County of Honolulu, is the only refuse center located on the west side of Oahu for residents to legally dispose of bulky items and other waste. However, due to extreme wait times and other issues, residents are forced to drive with heavy loads of bulky items or other waste on or in their vehicles, which creates unsafe conditions or danger in transporting the bulky items. Therefore, it is critical to ensure that the Waianae Convenience Center is adequately staffed and resourced to improve its services for local residents.

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. 111 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. 1578-22 Energy & Environmental Protection on H.R. No. 55**

The purpose of this measure is to urge the Department of Planning and Permitting of the City and County of Honolulu, Mayor of the City and County of Honolulu, and Honolulu City Council to ensure greater public input prior to the construction of wind machines having a rated capacity of up to one hundred kilowatts.

Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the noise pollution, shadow flicker, and flashing red lights caused by wind machines may adversely affect neighboring communities and property owners. Your Committee further finds that changing the type of conditional use permits required for wind machines having a rated capacity of up to one hundred kilowatts from minor to major permits will allow for greater public input.

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 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 (Matayoshi). Noes, none. Excused, none.

**SCRep. 1579-22 Energy & Environmental Protection on H.C.R. No. 61**

The purpose of this measure is to urge the Department of Planning and Permitting of the City and County of Honolulu, Mayor of the City and County of Honolulu, and Honolulu City Council to ensure greater public input prior to the construction of wind machines having a rated capacity of up to one hundred kilowatts.

Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the noise pollution, shadow flicker, and flashing red lights caused by wind machines may adversely affect neighboring communities and property owners. Your Committee further finds that changing the type of conditional use permits required for wind machines having a rated capacity of up to one hundred kilowatts from minor to major permits will allow for greater public input.

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. 61 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 (Matayoshi). Noes, none. Excused, none.

**SCRep. 1580-22 Energy & Environmental Protection on H.C.R. No. 55**

The purpose of this measure is to request the Legislative Reference Bureau to update its 1999 report on the feasibility of undergrounding the State's utility facilities.

Your Committee received comments on this measure from the Legislative Reference Bureau and Hawaii State Energy Office.

Your Committee finds that there is widespread community interest in undergrounding the State's utility facilities to enhance scenic views, address public health concerns, reduce the risk of wind damage, and increase system reliability, among other benefits. Although the Legislative Reference Bureau studied the feasibility of undergrounding the State's utility facilities in the past, the emergence of any new technologies related to undergrounding and overhead utility lines merits further study and consideration.

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. 55 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. 1581-22 Health, Human Services, & Homelessness on H.R. No. 83**

The purpose of this measure is to:

- (1) Urge the Department of Health to employ the Team 6B contact tracing team as permanent staff and hire other members from the Native Hawaiian and Pacific Islander communities in an effort to address the health inequities that exist and create better access to culturally relevant programs for Native Hawaiians and Pacific Islanders; and
- (2) Request the Department of Health to create a diverse hiring plan and submit a report of its progress to the Legislature before the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Native Hawaiian & Pacific Islander COVID-19 Hawai'i Response, Recovery, and Resilience Team; and ten individuals.

Your Committee finds that the Department of Health created the Team 6B contact tracing team in October 2020 to provide critical outreach to Native Hawaiians and Pacific Islander communities that were disproportionately affected by the COVID-19 pandemic. Your Committee further finds that the work of Team 6B and the hiring of underserved and marginalized community members by the Department of Health proved successful in drastically decreasing the number of COVID-19 cases in the Native Hawaiian and Pacific Islander communities. This measure urges the Department of Health to continue and expand its efforts to address the health inequities that exist for Native Hawaiian and Pacific Islander communities and create better access to culturally relevant programs for these communities.

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. 83, 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. 83, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1582-22 Health, Human Services, & Homelessness on H.C.R. No. 89**

The purpose of this measure is to:

- (1) Urge the Department of Health to employ the Team 6B contact tracing team as permanent staff and hire other members from the Native Hawaiian and Pacific Islander communities in an effort to address the health inequities that exist and create better access to culturally relevant programs for Native Hawaiians and Pacific Islanders; and
- (2) Request the Department of Health to create a diverse hiring plan and submit a report of its progress to the Legislature before the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Native Hawaiian & Pacific Islander COVID-19 Hawai'i Response, Recovery, and Resilience Team; and twelve individuals.

Your Committee finds that the Department of Health created the Team 6B contact tracing team in October 2020 to provide critical outreach to Native Hawaiians and Pacific Islander communities that were disproportionately affected by the COVID-19 pandemic. Your Committee further finds that the work of Team 6B and the hiring of underserved and marginalized community members by the Department of Health proved successful in drastically decreasing the number of COVID-19 cases in the Native Hawaiian and Pacific Islander communities. This measure urges the Department of Health to continue and expand its efforts to address the health inequities that exist for Native Hawaiian and Pacific Islander communities and create better access to culturally relevant programs for these communities.

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. 89, 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. 89, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1583-22 Health, Human Services, & Homelessness on H.R. No. 122**

The purpose of this measure is to:

- (1) Urge the State Commission on the Status of Women to work with the Domestic Violence Action Center, Filipino Chamber of Commerce of Hawai'i, and other chambers of commerce in Hawaii to develop and implement an outreach program aimed at informing domestic violence victims of available resources for assistance; and
- (2) Request the Commission to submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that domestic violence is frequently unreported and often goes undetected. Your Committee further finds that one in three women and one in four men in the State have had some form of physical abuse by a partner. In addition, Asian and Pacific Islander communities experience domestic violence at much higher rates than the general population, with Filipinos and part-Filipinos constituting thirty percent of reported victims of domestic abuse in the State. Your Committee further finds that requesting interested stakeholders to develop and implement an outreach program, as proposed by this measure, will ensure individuals experiencing domestic violence are connected to valuable resources, information, and services.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 122, 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. 122, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1584-22 Health, Human Services, & Homelessness on H.C.R. No. 122**

The purpose of this measure is to:

- (1) Urge the State Commission on the Status of Women to work with the Domestic Violence Action Center, Filipino Chamber of Commerce of Hawai'i, and other chambers of commerce in Hawaii to develop and implement an outreach program aimed at informing domestic violence victims of available resources for assistance; and
- (2) Request the Commission to submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that domestic violence is frequently unreported and often goes undetected. Your Committee further finds that one in three women and one in four men in the State have had some form of physical abuse by a partner. In addition, Asian and Pacific Islander communities experience domestic violence at much higher rates than the general population, with Filipinos and part-Filipinos constituting thirty percent of reported victims of domestic abuse in the State. Your Committee further finds that requesting interested stakeholders to develop and implement an outreach program, as proposed by this measure, will ensure individuals experiencing domestic violence are connected to valuable resources, information, and services.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 122, 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. 122, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1585-22 Health, Human Services, & Homelessness on H.R. No. 149**

The purpose of this measure is to request the adoption of a state policy assuring that savings realized by the State through the extension of Federal Medical Assistance Percentage payments of one hundred percent for Native Hawaiian health care systems is used to address health disparities experienced by Native Hawaiian communities.

Your Committee received testimony in support of this measure from the Waimanalo Health Center and Waianae Coast Comprehensive Health Center. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that Native Hawaiians suffer from disproportionate higher rates of chronic diseases and thus higher mortality rates than the general population in Hawaii. As a result, systemic changes in Native Hawaiian health care are necessary to address the health disparities of the Native Hawaiian population. Under Section 9815 of the American Rescue Plan Act of 2021, the federal government will pay one hundred percent of the cost of Medicaid services provided at Native Hawaiian Health Centers for sixteen fiscal quarters.

Your Committee recognizes that continued federal support beyond the time frame originally provided in the American Rescue Plan Act is not certain. However, it is important that any savings realized by the State associated with increased federal support for Native Hawaiian health under the Federal Medical Assistance Percentage recalculation be used to further address health disparities experienced by Native Hawaiian communities. This resolution seeks to assure this goal.

Your Committee has amended this measure by:

- (1) Making a technical amendment to its title; and
- (2) Making technical, 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. 149, 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. 149, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1586-22 Health, Human Services, & Homelessness on H.C.R. No. 149**

The purpose of this measure is to request the adoption of a state policy assuring that savings realized by the State through the extension of Federal Medical Assistance Percentage payments of one hundred percent for Native Hawaiian health care systems is used to address health disparities experienced by Native Hawaiian communities.

Your Committee received testimony in support of this measure from the Waimanalo Health Center and Waianae Coast Comprehensive Health Center. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that Native Hawaiians suffer from disproportionate higher rates of chronic diseases and thus higher mortality rates than the general population in Hawaii. As a result, systemic changes in Native Hawaiian health care are necessary to address the health disparities of the Native Hawaiian population. Under Section 9815 of the American Rescue Plan Act of 2021, the federal government will pay one hundred percent of the cost of Medicaid services provided at Native Hawaiian Health Centers for sixteen fiscal quarters.

Your Committee recognizes that continued federal support beyond the time frame originally provided in the American Rescue Plan Act is not certain. However, it is important that any savings realized by the State associated with increased federal support for Native Hawaiian health under the Federal Medical Assistance Percentage recalculation be used to further address health disparities experienced by Native Hawaiian communities. This resolution seeks to assure this goal.

Your Committee has amended this measure by:

- (1) Making a technical amendment to its title; and
- (2) Making technical, 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. 149, 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. 149, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1587-22 Health, Human Services, & Homelessness on H.R. No. 21**

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study analyzing the use and effectiveness of mobile applications or other similar means to deliver government assistance.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that recipients of state and federal government assistance and social welfare programs often experience challenges in fully accessing the benefits of those programs. Your Committee further finds that while mobile applications developed to streamline and enhance the delivery of government assistance to program recipients may be a viable means of delivering services and reducing administrative burdens, additional information is needed on the use and effectiveness of these mobile applications.

Your Committee has amended this measure by:

- (1) Requesting the Office of Enterprise Technology Services to work with the Legislative Reference Bureau to conduct the study and report to the Legislature;
- (2) Amending its title in accordance with its amended purpose; 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. 21, 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. 21, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1588-22 Health, Human Services, & Homelessness on H.C.R. No. 23**

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study analyzing the use and effectiveness of mobile applications or other similar means to deliver government assistance.

Your Committee received comments on this measure from the Legislative Reference Bureau.

Your Committee finds that recipients of state and federal government assistance and social welfare programs often experience challenges in fully accessing the benefits of those programs. Your Committee further finds that while mobile applications developed to streamline and enhance the delivery of government assistance to program recipients may be a viable means of delivering services and reducing administrative burdens, additional information is needed on the use and effectiveness of these mobile applications.

Your Committee has amended this measure by:

- (1) Requesting the Office of Enterprise Technology Services to work with the Legislative Reference Bureau to conduct the study and report to the Legislature;
- (2) Amending its title in accordance with its amended purpose; 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. 23, 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. 23, H.D. 1.

Signed by the Chair on behalf of the Committee.

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



**SCRep. 1589-22 Health, Human Services, & Homelessness on H.R. No. 52**

The purpose of this measure is to request the Department of Human Services to establish a one-year pilot program to provide a basic income to qualified adults who are verified victims of sex trafficking or who are female or sexual and gender minority individuals seeking to exit the sex trade.

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.

Your Committee finds that providing economic support via a basic income program to individuals seeking to leave the sex trade may be a viable alternative to the current tendency of many social institutions to penalize exploited people and may help these individuals leave the industry.

Your Committee has amended this measure by:

- (1) Requesting the Department of Human Services and Legislative Reference Bureau to conduct a study on the feasibility of establishing a program to provide a basic income to certain qualified adults who are victims of sex trafficking or seeking to exit the sex trade, rather than requesting the Department to establish a one-year pilot program;
- (2) Specifying the contents of the study;
- (3) Requiring the Department of Human Services and Legislative Reference Bureau to submit a report to the Legislature prior to the Regular Session of 2023;
- (4) Amending its title in accordance with its amended purpose; 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. 52, 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. 52, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1590-22 Health, Human Services, & Homelessness on H.C.R. No. 58**

The purpose of this measure is to request the Department of Human Services to establish a one-year pilot program to provide a basic income to qualified adults who are verified victims of sex trafficking or who are female or sexual and gender minority individuals seeking to exit the sex trade.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, AF3IRM Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that providing economic support via a basic income program to individuals seeking to leave the sex trade may be a viable alternative to the current tendency of many social institutions to penalize exploited people and may help these individuals leave the industry.

Your Committee has amended this measure by:

- (1) Requesting the Department of Human Services and Legislative Reference Bureau to conduct a study on the feasibility of establishing a program to provide a basic income to certain qualified adults who are victims of sex trafficking or seeking to exit the sex trade, rather than requesting the Department to establish a one-year pilot program;
- (2) Specifying the contents of the study;
- (3) Requiring the Department of Human Services and Legislative Reference Bureau to submit a report to the Legislature prior to the Regular Session of 2023;
- (4) Amending its title in accordance with its amended purpose; 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. 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, 7. Noes, none. Excused, none.

**SCRep. 1591-22 Health, Human Services, & Homelessness on H.R. No. 58**

The purpose of this measure is to request the Judiciary conduct a study on the necessity of mandatory referrals to the Department of Human Services for investigation or intervention in all cases of alleged domestic abuse involving a family or household member who is a minor or incapacitated person.

Your Committee received testimony in support of this measure from the Domestic Violence Action Center. Your Committee received comments on this measure from the Judiciary and Department of Human Services.

Your Committee finds that when a parent seeks a restraining order against an abusive family or household member when domestic abuse occurs in a household in which a child resides, existing law requires the court-appointed entity assisting the parent with filing the petition to refer the matter to the Department of Human Services for intervention or investigation by the Child Welfare Services Branch. Your Committee further finds that this mandatory referral may not be necessary because judges have the discretionary authority to refer a case to the Department of Human Services where an investigation is warranted to ensure the family's safety and provide services to support their safety and well-being.

Your Committee notes the concerns raised by the Judiciary in their testimony that there is some confusion regarding the intent and scope of the proposed study, including whether the requested study is to be limited to a particular section or chapter of the Hawaii Revised Statutes and whether the Judiciary is the appropriate entity to conduct the study. Further discussion regarding these concerns may be warranted as this measure moves through the legislative process.

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 Health, Human Services, & Homelessness 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, none.

**SCRep. 1592-22 Health, Human Services, & Homelessness on H.C.R. No. 64**

The purpose of this measure is to request the Judiciary to conduct a study on the necessity of mandatory referrals to the Department of Human Services for investigation or intervention in all cases of alleged domestic abuse involving a family or household member who is a minor or incapacitated person.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaii Family Advocacy Team. Your Committee received comments on this measure from the Judiciary, Department of Human Services, and one individual.

Your Committee finds that when a parent seeks a restraining order against an abusive family or household member when domestic abuse occurs in a household in which a child resides, existing law requires the court-appointed entity assisting the parent with filing the petition to refer the matter to the Department of Human Services for intervention or investigation by the Child Welfare Services Branch. Your Committee further finds that this mandatory referral may not be necessary because judges have the discretionary authority to refer a case to the Department of Human Services where an investigation is warranted to ensure the family's safety and provide services to support their safety and well-being.

Your Committee notes the concerns raised by the Judiciary in their testimony that there is some confusion regarding the intent and scope of the proposed study, including whether the requested study is to be limited to a particular section or chapter of the Hawaii Revised Statutes and whether the Judiciary is the appropriate entity to conduct the study. Further discussion regarding these concerns may be warranted as this measure moves through the legislative process.

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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 64, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.C.R. No. 64, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, none.

**SCRep. 1593-22 Health, Human Services, & Homelessness on H.R. No. 60**

The purpose of this measure is to request the Director of Health to establish a telehealth and telephonic services working group to address the complexities surrounding the appropriate use of telehealth and telephonic services, by specialty care area, and coverage of these services by health insurance.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board, Hawaii Medical Service Association, Healthcare Association of Hawaii, and Hawaii Association of Health Plans. Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs and Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that health care providers in Hawaii increasingly rely on real-time audio and visual telehealth visits and other modalities of care delivery to increase access to health care in the State. Your Committee further finds that there is a need to remedy digital health disparities for individuals who lack access to the audio-visual technology needed for telehealth visits. This measure addresses health care technology disparities by requesting the establishment of a working group to determine whether audio-only telephonic services can ensure quality health outcomes for patients.

Your Committee has amended this measure by:

- (1) Requesting the Insurance Commissioner, rather than the Director of Health, to convene and chair the working group;
- (2) Requesting a representative of the Department of Health be invited to participate in the working group, rather than requesting the initial inclusion of the Director of Health, or designee, in the working group;
- (3) Amending its title in accordance with its amended purpose; 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. 60, 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. 60, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, none.

**SCRep. 1594-22 Health, Human Services, & Homelessness on H.C.R. No. 66**

The purpose of this measure is to request the Director of Health to establish a telehealth and telephonic services working group to address the complexities surrounding the appropriate use of telehealth and telephonic services, by specialty care area, and coverage of these services by health insurance.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Medical Service Association, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Association of Health Plans, and one individual. Your Committee received comments on this measure from the Department of Health, Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, and Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that health care providers in Hawaii increasingly rely on real-time audio and visual telehealth visits and other modalities of care delivery to increase access to health care in the State. Your Committee further finds that there is a need to remedy digital health disparities for individuals who lack access to the audio-visual technology needed for telehealth visits. This measure addresses health care technology disparities by requesting the establishment of a working group to determine whether audio-only telephonic services can ensure quality health outcomes for patients.

Your Committee has amended this measure by:

- (1) Requesting the Insurance Commissioner, rather than the Director of Health, to convene and chair the working group;
- (2) Requesting a representative of the Department of Health be invited to participate in the working group, rather than requesting the initial inclusion of the Director of Health, or designee, in the working group;
- (3) Amending its title in accordance with its amended purpose; 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. 66, 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. 66, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1595-22 Health, Human Services, & Homelessness on H.C.R. No. 9**

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 sexual and reproductive health care services.

Your Committee received testimony in support of this measure from the Hawai'i Section of the American College of Obstetricians and Gynecologists, Planned Parenthood Alliance Advocates - Hawai'i, Save Medicaid Hawaii, Kaiser Permanente Hawaii, Hawai'i State Democratic Women's Caucus, and eleven individuals. Your Committee received comments on this measure from the Office of the Auditor and Hawaii Association of Health Plans.

Your Committee finds that federal protections for abortion, preventive care, contraceptives, and other sexual and reproductive health care services are consistently threatened. Your Committee further finds that facilitating access to preventive sexual and reproductive health care services and limiting out-of-pocket costs for preventive sexual and reproductive health care services is critical for the health and economic security of all people in Hawaii and will help avoid more costly treatments in the future.

Your Committee notes that comprehensive health insurance coverage for a full range of sexual and reproductive health care services, without cost sharing, is not generally covered by health insurance and would be considered a new mandated benefit. This measure therefore requests the Auditor to conduct a statutorily required impact assessment report on the social and financial effects of the mandated health insurance coverage for various sexual and reproductive health care services proposed by House Bill No. 249 (Regular Session of 2021).

Your Committee has amended this measure by:

- (1) Making a technical amendment to its title to clarify the purpose of the impact assessment report; and
- (2) Making technical, 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. 9, 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. 9, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1596-22 Economic Development on H.R. No. 75**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the "Made in Hawaii" and "Hawaii Made" brands and prepare a plan to encourage and enforce the use of those brands.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that as an integral part of the State's economic development strategy, the Legislature passed Act 2, Special Session Laws of Hawaii 2021, which created the "Hawaii Made" program for manufactured products to be administered by the Department of Business, Economic Development, and Tourism. However, there are concerns regarding an overlap of jurisdictional authority between the "Hawaii Made" program under the Department of Business, Economic Development, and Tourism and the "Made in Hawaii with Aloha" brand under the Department of Agriculture. Your Committee believes that clarification is required regarding the purpose, scope, and enforcement of the "Hawaii Made" and "Made in Hawaii" programs to better ensure the integrity of products produced 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 75, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 75, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

#### **SCRep. 1597-22 Economic Development on H.C.R. No. 84**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the "Made in Hawaii" and "Hawaii Made" brands and prepare a plan to encourage and enforce the use of those brands.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that as an integral part of the State's economic development strategy, the Legislature passed Act 2, Special Session Laws of Hawaii 2021, which created the "Hawaii Made" program for manufactured products to be administered by the Department of Business, Economic Development, and Tourism. However, there are concerns regarding an overlap of jurisdictional authority between the "Hawaii Made" program under the Department of Business, Economic Development, and Tourism and the "Made in Hawaii with Aloha" brand under the Department of Agriculture. Your Committee believes that clarification is required regarding the purpose, scope, and enforcement of the "Hawaii Made" and "Made in Hawaii" programs to better ensure the integrity of products produced 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 84, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 84, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1598-22 Economic Development on H.R. No. 76**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the economic impacts of domestic out-of-state students.

Your Committee received no written testimony on this measure.

Your Committee finds that an October 2020 report by the Department of Business, Economic Development, and Tourism analyzed the impact of international students on the State's economy and estimated that international students contributed roughly \$185,000,000 to the State's economy in living expenses, tuition, and other economic activities. This report illustrated the powerful economic impact of international students in the State and brings to light the potential impact that domestic out-of-state students may have on the State's economy. This measure would expand on the information first identified in the 2020 report by focusing on the potential economic impact of domestic out-of-state students 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 76, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 76, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1599-22 Economic Development on H.C.R. No. 85**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the economic impacts of domestic out-of-state students.

Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism.

Your Committee finds that an October 2020 report by the Department of Business, Economic Development, and Tourism analyzed the impact of international students on the State's economy and estimated that international students contributed roughly \$185,000,000 to the State's economy in living expenses, tuition, and other economic activities. This report illustrated the powerful economic impact of international students in the State and brings to light the potential impact that domestic out-of-state students may have on the State's economy. This measure would expand on the information first identified in the 2020 report by focusing on the potential economic impact of domestic out-of-state students 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 Economic Development 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 Finance in the form attached hereto as H.C.R. No. 85, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1600-22 Economic Development on H.R. No. 102**

The purpose of this measure is to urge Hawaii's congressional delegation to introduce and support legislation that would repeal the \$10,000 limitation on the deduction for state and local taxes enacted by the federal Tax Cuts and Jobs Act of 2017.

Your Committee received no written testimony on this measure.

Your Committee finds that the federal Tax Cuts and Jobs Act of 2017 included a \$10,000 limitation on deductions for state and local taxes, leading to an increase in state deficits that are statutorily required to be offset by reductions in outlays or increases in other revenue to maintain budget outcomes. This cap further decreases after-tax income for taxpayers, causing more financial hardship and a decrease in the consumption of goods and services that are vital for economic recovery. Your Committee believes that the working people of Hawaii are in desperate need of tax relief to offset the high cost of living.

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. 102, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 102, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1601-22 Economic Development on H.C.R. No. 106**

The purpose of this measure is to urge Hawaii's congressional delegation to introduce and support legislation that would repeal the \$10,000 limitation on the deduction for state and local taxes enacted by the federal Tax Cuts and Jobs Act of 2017.

Your Committee received no written testimony on this measure.

Your Committee finds that the federal Tax Cuts and Jobs Act of 2017 included a \$10,000 limitation on deductions for state and local taxes, leading to an increase in state deficits that are statutorily required to be offset by reductions in outlays or increases in other revenue to maintain budget outcomes. This cap further decreases after-tax income for taxpayers, causing more financial hardship and a decrease in the consumption of goods and services that are vital for economic recovery. Your Committee believes that the working people of Hawaii are in desperate need of tax relief to offset the high cost of living.

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. 106, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 106, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1602-22 Economic Development on H.R. No. 108**

The purpose of this measure is to urge the Governor to appoint a Creative Resurgence Coordinator to the Governor's cabinet.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the creative arts sector plays an important role in the State's economy, as it represents approximately six percent of the State's total civilian jobs. Despite this, the State is ranked as one of the top five states experiencing job losses in the creative arts sector. Your Committee believes that a Creative Resurgence Coordinator in the Governor's Cabinet would ensure coordination between the public and private sectors on creative resurgence projects to address the loss of jobs in the creative arts sector.

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. 108 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, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1603-22 Economic Development on H.C.R. No. 112**

The purpose of this measure is to urge the Governor to appoint a Creative Resurgence Coordinator to the Governor's cabinet.

Your Committee received testimony in support of this measure from Hautree Consulting.

Your Committee finds that the creative arts sector plays an important role in the State's economy, as it represents approximately six percent of the State's total civilian jobs. Despite this, the State is ranked as one of the top five states experiencing job losses in the creative arts sector. Your Committee believes that a Creative Resurgence Coordinator in the Governor's Cabinet would ensure coordination between the public and private sectors on creative resurgence projects to address the loss of jobs in the creative arts sector.

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. 112 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, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1604-22 Economic Development on H.R. No. 115**

The purpose of this measure is to request the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and Hawaii Technology Development Corporation to extend the Digital Currency Innovation Lab pilot project.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Technology Development Corporation, and Grassroot Institute of Hawaii.

Your Committee finds that despite the recent growth in popularity of cryptocurrency, there is little regulation of the industry. In 2016, the Division of Financial Institutions of the Department of Commerce and Consumer Affairs established the Digital Currency Innovation Lab pilot project to allow for limited activity of digital currency companies, virtual currency companies, and cryptocurrency companies to determine the best method for regulating cryptocurrency. Your Committee further finds that this pilot project has been utilized by over 61,000 consumers and transacted over \$611,000,000 since its inception, however, the pilot program is scheduled to expire on June 30, 2022. Your Committee believes that the Digital Currency Innovation Lab pilot project should be extended so that the State can be better prepared to assist the burgeoning cryptocurrency industry through regulation.

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. 115, 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. 115, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1605-22 Economic Development on H.C.R. No. 115**

The purpose of this measure is to request the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and Hawaii Technology Development Corporation to extend the Digital Currency Innovation Lab pilot project.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawaii Technology Development Corporation, and Grassroot Institute of Hawaii.

Your Committee finds that despite the recent growth in popularity of cryptocurrency, there is little regulation of the industry. In 2016, the Division of Financial Institutions of the Department of Commerce and Consumer Affairs established the Digital Currency Innovation Lab pilot project to allow for limited activity of digital currency companies, virtual currency companies, and cryptocurrency companies to determine the best method for regulating cryptocurrency. Your Committee further finds that this pilot project has been utilized by over 61,000 consumers and transacted over \$611,000,000 since its inception, however, the pilot program is scheduled to expire on June 30, 2022. Your Committee believes that the Digital Currency Innovation Lab pilot project should be extended so that the State can be better prepared to assist the burgeoning cryptocurrency industry through regulation.

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. 115, 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. 115, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 3 (Belatti, D. Kobayashi, Okimoto).

**SCRep. 1606-22 Education on H.R. No. 93**

The purpose of this measure is to request the Early Learning Board to:

- (1) Prepare a report containing a road map for the implementation of Act 46, Session Laws of Hawaii 2020;

- (2) Convene a working group to assist the Board for the purposes of the report; and
- (3) Submit the report to the Legislature prior to the 2023 Regular Session.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning, Early Childhood Action Strategy, Kamehameha Schools, Hawai'i Community Foundation, and one individual. Your Committee received comments on this measure from the Early Learning Board and Hawai'i Children's Action Network Speaks!.

Your Committee finds that providing every child with access to early learning opportunities supports positive outcomes in academics, promotes emotional well-being, and establishes a strong foundation for a lifetime of success. Your Committee further finds that one of the objectives of Act 46, Session Laws of Hawaii 2020, is to build the infrastructure and develop resources necessary to achieve the objective of providing the capacity to serve one hundred percent of all otherwise unserved children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, with access to learning by the year 2032. Your Committee believes that the Early Learning Board is the appropriate agency to promote collaboration across agencies and stakeholders serving young children to achieve the purpose of Act 46, Session Laws of Hawaii 2020.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 93, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 93, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1607-22 Education on H.R. No. 11**

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. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the National Orientation and Mobility Certification (NOMC) is a credentialing process administered by the National Blindness Professional Certification Board and includes training in teaching Structured Discovery Cane Travel, which has empowered blind children and adults across the United States. Your Committee further finds that the Department of Education has not employed NOMC credentialed professionals to teach matters of orientation and mobility to blind students. Your Committee believes that an affirmative action program to recruit and employ qualified blind professionals can be effective in educating students with disabilities and serve as a powerful example for these students by letting them know that their disability need not be a barrier for employment.

Your Committee has amended this measure by:

- (1) Amending its title to reflect its 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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 11, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 11, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1608-22 Education on H.C.R. No. 13**

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. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the National Orientation and Mobility Certification (NOMC) is a credentialing process administered by the National Blindness Professional Certification Board and includes training in teaching Structured Discovery Cane Travel, which has empowered blind children and adults across the United States. Your Committee further finds that the Department of Education has not employed NOMC credentialed professionals to teach matters of orientation and mobility to blind students. Your Committee believes that an affirmative action program to recruit and employ qualified blind professionals can be effective in educating students with disabilities and serve as a powerful example for these students by letting them know that their disability need not be a barrier for employment.

Your Committee has amended this measure by:

- (1) Amending its title to reflect its 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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 13, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 13, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1609-22 Education on H.R. No. 17**

The purpose of this measure is to urge the Department of Education to report to the Legislature regarding the amount of public school space available to be used for the establishment of public preschool classrooms and the number of current public school teachers who are licensed to teach early childhood education.

Your Committee received comments on this measure from the Early Learning Board and Executive Office on Early Learning.

Your Committee finds that investments in early childhood education pay dividends for the formal preparation of children as learners and future citizens.

Your Committee further finds that during the COVID-19 pandemic, preschool enrollment declined precipitously, with the State's public preschool system operating at approximately fifty-five percent capacity in March 2021, and the State's private preschool enrollment decreasing by nearly a third during the same time period. Your Committee believes that utilizing available public school space for the establishment of public preschool classrooms will expand preschool opportunities for many families and their young children.

Your Committee has amended this measure by:

- (1) Clarifying that the department of Education is urged to include in its report an analysis of the amount of classroom space not used for instructional purposes, rather than vacant classroom space available; and
- (2) Making technical, 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. 17, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 17, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1610-22 Education on H.C.R. No. 19**

The purpose of this measure is to urge the Department of Education to report to the Legislature regarding the amount of public school space available to be used for the establishment of public preschool classrooms and the number of current public school teachers who are licensed to teach early childhood education.

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 Early Learning Board and Executive Office on Early Learning.

Your Committee finds that investments in early childhood education pay dividends for the formal preparation of children as learners and future citizens. Your Committee further finds that during the COVID-19 pandemic, preschool enrollment declined precipitously, with the State's public preschool system operating at approximately fifty-five percent capacity in March 2021, and the State's private preschool enrollment decreasing by nearly a third during the same time period. Your Committee believes that utilizing available public school space for the establishment of public preschool classrooms will expand preschool opportunities for many families and their young children.

Your Committee has amended this measure by:

- (1) Clarifying that the department of Education is urged to include in its report an analysis of the amount of classroom space not used for instructional purposes, rather than vacant classroom space available; and
- (2) Making technical, 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. 19, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 19, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1611-22 Education on H.R. No. 35**

The purpose of this measure is to urge the Department of Education to incorporate media literacy into the existing state public school curriculum.

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

Your Committee finds that the modern digital landscape has influenced access and exposure to various media reporting on current events, thereby shaping the public's perception of reality. Your Committee further finds that the responsible use of technology is an increasingly vital skill in modern times that children should be taught from a young age. Your Committee believes that preparing students to use technology in a responsible manner through the incorporation of media literacy in the existing state public school curriculum will encourage them to become well-informed and productive digital citizens.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 35, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 35, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1612-22 Education on H.C.R. No. 40**

The purpose of this measure is to urge the Department of Education to incorporate media literacy into the existing state public school curriculum.

Your Committee received testimony in support of this measure from the Department of Education and three individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the modern digital landscape has influenced access and exposure to various media reporting on current events, thereby shaping the public's perception of reality. Your Committee further finds that the responsible use of technology is an increasingly vital skill in modern times that children should be taught from a young age. Your Committee believes that preparing students to use technology in a responsible manner through the incorporation of media literacy in the existing state public school curriculum will encourage them to become well-informed and productive digital citizens.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 40, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 40, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

**SCRep. 1613-22 Education on H.R. No. 45**

The purpose of this measure is to urge the Department of Education to remedy transportation inequity by increasing more school bus routes, with priority given to the creation of routes that serve students from low- to moderate-income families.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that access to and from school is a fundamental part of public education's mission to ensure all children have access to equal educational opportunities. Your Committee further finds that a lack of school transportation services leads to tardiness, absenteeism, and poor educational performances and outcomes for schoolchildren. Your Committee notes that the COVID-19 pandemic has reduced the size of Hawaii's school bus driver workforce and resulted in the suspension of at least thirty statewide school bus routes. Your Committee finds that the Department of Education needs to urgently increase school bus routes and services, particularly on neighbor islands and in rural areas, to ensure children have equal opportunities to attend public school.

Your Committee has amended this measure by:

- (1) Urging the Department of Education to convene a working group to remedy school bus transportation inequity for low- to moderate-income families and report to the Legislature prior to the Regular Session of 2023;
- (2) Inserting language urging the working group to consider the possibility of paying shortage differentials to incentivize the hiring of more school bus drivers to help remedy school bus transportation inequity, especially on the neighbor islands and in rural areas;
- (3) Amending its title in accordance with its amended purpose; 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. 45, 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. 45, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

**SCRep. 1614-22 Education on H.C.R. No. 50**

The purpose of this measure is to urge the Department of Education to remedy transportation inequity by increasing more school bus routes, with priority given to the creation of routes that serve students from low- to moderate-income families.

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

Your Committee finds that access to and from school is a fundamental part of public education's mission to ensure all children have access to equal educational opportunities. Your Committee further finds that a lack of school transportation services leads to tardiness, absenteeism, and poor educational performances and outcomes for schoolchildren. Your Committee notes that the COVID-19 pandemic has reduced the size of Hawaii's school bus driver workforce and resulted in the suspension of at least thirty statewide school bus routes. Your Committee finds that the Department of Education needs to urgently increase school bus routes and services, particularly on neighbor islands and in rural areas, to ensure children have equal opportunities to attend public school.

Your Committee has amended this measure by:

- (1) Urging the Department of Education to convene a working group to remedy school bus transportation inequity for low- to moderate-income families and report to the Legislature prior to the Regular Session of 2023;
- (2) Inserting language urging the working group to consider the possibility of paying shortage differentials to incentivize the hiring of more school bus drivers to help remedy school bus transportation inequity, especially on the neighbor islands and in rural areas;
- (3) Amending its title in accordance with its amended purpose; 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. 50, 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. 50, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

**SCRep. 1615-22 Education on H.R. No. 164**

The purpose of this measure is to urge the Department of Education to increase access to arts and cultural education in public schools.

Your Committee did not receive any written 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 Hawaii, and that art, music, and cultural curricula constitute important parts of a well-rounded education that address the developmental needs of the whole child. Your Committee further finds that during the COVID-19 pandemic, Hawaii's public school students experienced "learning loss", with the Department of Education reporting in 2021 that just thirty-two percent of public school students were proficient in math, a twenty-six percent drop from 2019. Your Committee believes that increased access to arts and cultural education in public schools will address learning loss caused by the COVID-19 pandemic.

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. 164 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, 2 (Gates, Ohno).

**SCRep. 1616-22 Education on H.C.R. No. 164**

The purpose of this measure is to urge the Department of Education to increase access to arts and cultural education in public schools.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to



this measure from one individual.

Your Committee finds that providing a well-rounded education to all public school students advances the economic and social health of Hawaii, and that art, music, and cultural curricula constitute important parts of a well-rounded education that address the developmental needs of the whole child. Your Committee further finds that during the COVID-19 pandemic, Hawaii's public school students experienced "learning loss", with the Department of Education reporting in 2021 that just thirty-two percent of public school students were proficient in math, a twenty-six percent drop from 2019. Your Committee believes that increased access to arts and cultural education in public schools will address learning loss caused by the COVID-19 pandemic.

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. 164 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, 2 (Gates, Ohno).

#### **SCRep. 1617-22 Education on H.R. No. 138**

The purpose of this measure is to request the Department of Education to form a student-led working group to address the need for active inclusion of diverse identities within and beyond sexual health education, to teach culturally responsive ideas around mutual respect in relationships, and to find sites of potential active inclusion of these identities in sexual health curricula, all within the framing principles of aloha kekahi i kekahi.

Your Committee received testimony in support of this measure from the Hawai'i Health & Harm Reduction Center, Hawai'i Children's Action Network Speaks!, Hawaii Youth Services Network, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that an important tenant of Hawaiian thought is "aloha kekahi i kekahi", meaning to love, honor, and respect each other; to treat each other with mutual dignity and cordiality; and to engage with one another on the basis of mutual kindness, caring, and love. Your Committee further finds that because of the Hawaii's limited size and resources, it is vital to respect and celebrate the diverse racial, ethnic, gender, sexual, disability, and other identities that exist in the State. Your Committee notes that at the 2021 Hawaii Youth Summit, students specifically requested action to ensure that sexual health education curriculum includes accurate and affirmative representations of diverse gender and other identities. Your Committee believes that students have a clear understanding of the issues and problems in their schooling and that a student-led working group will give students a voice in crafting their own futures and those of generations to come.

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. 138 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Okimoto). Excused, 2 (Gates, Ohno).

#### **SCRep. 1618-22 Education on H.C.R. No. 138**

The purpose of this measure is to request the Department of Education to form a student-led working group to address the need for active inclusion of diverse identities within and beyond sexual health education, to teach culturally responsive ideas around mutual respect in relationships, and to find sites of potential active inclusion of these identities in sexual health curricula, all within the framing principles of aloha kekahi i kekahi.

Your Committee received testimony in support of this measure from the Hawai'i Health & Harm Reduction Center, Hawai'i Children's Action Network Speaks!, Hawaii Youth Services Network, and one individual. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that an important tenant of Hawaiian thought is "aloha kekahi i kekahi", meaning to love, honor, and respect each other; to treat each other with mutual dignity and cordiality; and to engage with one another on the basis of mutual kindness, caring, and love. Your Committee further finds that because of the Hawaii's limited size and resources, it is vital to respect and celebrate the diverse racial, ethnic, gender, sexual, disability, and other identities that exist in the State. Your Committee notes that at the 2021 Hawaii Youth Summit, students specifically requested action to ensure that sexual health education curriculum includes accurate and affirmative representations of diverse gender and other identities. Your Committee believes that students have a clear understanding of the issues and problems in their schooling and that a student-led working group will give students a voice in crafting their own futures and those of generations to come.

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. 138 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, 1 (Okimoto). Excused, 2 (Gates, Ohno).

#### **SCRep. 1619-22 Education on H.R. No. 3**

The purpose of this measure is to urge the Hilo High School School Community Council to recommend that Hilo High School Gym be named after Albert and Lawrence Manliguis.

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

Your Committee finds that for over five decades, Albert and Lawrence Manliguis, have been synonymous with high school athletic and academic excellence, as well as achievement in basketball, particularly at Hilo High School where both brothers served as head coaches. Your Committee further finds that Albert and Lawrence Manliguis, together, coached forty-eight consecutive seasons at Hilo High School, where they led the Hilo High School Vikings to three state championships during that time, with two state championships coached by Lawrence Manliguis and one state championship coached by Albert Manliguis. Your Committee believes that it would be fitting to name Hilo High School Gym after Albert and Lawrence Manliguis to honor their longstanding commitment and success to athletic and academic excellence at Hilo High School.

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. 3 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, 2 (Gates, Ohno).

#### **SCRep. 1620-22 Education on H.C.R. No. 7**

The purpose of this measure is to urge the Hilo High School School Community Council to recommend that Hilo High School Gym be named after Albert and Lawrence Manliguis.

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

Your Committee finds that for over five decades, Albert and Lawrence Manliguis, have been synonymous with high school athletic and academic excellence, as well as achievement in basketball, particularly at Hilo High School where both brothers served as head coaches. Your Committee further finds that Albert and Lawrence Manliguis, together, coached forty-eight consecutive seasons at Hilo High School, where they led the Hilo High School Vikings to three state championships during that time, with two state championships coached by Lawrence Manliguis and one state championship coached by Albert Manliguis. Your Committee believes that it would be fitting to name Hilo High School Gym after Albert and Lawrence Manliguis to honor their longstanding commitment and success to athletic and academic excellence at Hilo High School.

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. 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. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1621-22 Education on H.R. No. 46**

The purpose of this measure is to request the Department of Education to prioritize funding for air conditioning in schools on Hawaii island that are regularly affected by vog.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that vog, or volcanic smog, is a form of air pollution that occurs when volcanic emissions react with moisture, oxygen, and sunlight. When volcanic eruptions occur on Hawaii island, prevailing wind patterns typically push vog emissions westward, where they accumulate over North and South Kona and Kau and affect the air quality to the point where it poses significant health risks.

Your Committee further finds that public health recommendations to reduce exposure to vog include staying indoors with windows closed and using an air filter. However, in schools without air conditioning, it can be very difficult to follow the recommendations and keep a healthy learning environment at the same time. Your Committee believes that providing schools on Hawaii island that are regularly affected by vog with air conditioning units will create a safer, more comfortable, and more effective learning environment for students.

Your Committee has amended this measure by including information on how hot temperatures negatively impact the ability of students to learn, especially in West Hawaii island and in particular the Kona area, and how using available energy efficient technology reduces the cost of air conditioning installation.

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. 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, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1622-22 Education on H.C.R. No. 51**

The purpose of this measure is to request the Department of Education to prioritize funding for air conditioning in schools on Hawaii island that are regularly affected by vog.

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

Your Committee finds that vog, or volcanic smog, is a form of air pollution that occurs when volcanic emissions react with moisture, oxygen, and sunlight. When volcanic eruptions occur on Hawaii island, prevailing wind patterns typically push vog emissions westward, where they accumulate over North and South Kona and Kau and affect the air quality to the point where it poses significant health risks.

Your Committee further finds that public health recommendations to reduce exposure to vog include staying indoors with windows closed and using an air filter. However, in schools without air conditioning, it can be very difficult to follow the recommendations and keep a healthy learning environment at the same time. Your Committee believes that providing schools on Hawaii island that are regularly affected by vog with air conditioning units will create a safer, more comfortable, and more effective learning environment for students.

Your Committee has amended this measure by including information on how hot temperatures negatively impact the ability of students to learn, especially in West Hawaii island and in particular the Kona area, and how using available energy efficient technology reduces the cost of air conditioning installation.

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. 51, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.C.R. No. 51, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1623-22 Education on H.R. No. 50**

The purpose of this measure is to request the Department of Education to implement a social studies course for high school students to learn about Filipino history, culture, and identity.

Your Committee received testimony in support of this measure from the Hawai'i Friends of Civil Rights, Tinalak Filipino Education Council, Sariling Gawa Youth Council, Filipino Curriculum Project, and seventeen individuals.

Your Committee finds that in 2020, news reports indicated that anti-Asian hate crimes had increased nearly one hundred fifty percent in the United States. Your Committee further finds that increased education and understanding of Asian American history and culture and the contributions of Asian Americans can reduce incidents of hostility, violence, and discrimination toward Asian Americans. Your Committee also finds that Filipinos are the largest Asian ethnic and non-white group in Hawaii, at more than twenty-five percent of the population, and have a large presence and cultural footprint in the State. Your Committee notes that there is currently no mandated curriculum regarding Asian American history in Hawaii schools. Your Committee believes that implementing a social studies course for high school students to learn about Filipino history, culture, and identity will promote positive racial relations and attitudes amongst all ethnic groups.

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 Education 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 Judiciary & Hawaiian Affairs in the form attached hereto as H.R. No. 50, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

**SCRep. 1624-22 Education on H.C.R. No. 56**

The purpose of this measure is to request the Department of Education to implement a social studies course for high school students to learn about Filipino history, culture, and identity.

Your Committee received testimony in support of this measure from the Hawai'i Friends of Civil Rights, Tinalak Filipino Education Council, Sariling Gawa Youth Council, Filipino Curriculum Project, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that in 2020, news reports indicated that anti-Asian hate crimes had increased nearly one hundred fifty percent in the United States. Your Committee further finds that increased education and understanding of Asian American history and culture and the contributions of Asian Americans can reduce incidents of hostility, violence, and discrimination toward Asian Americans. Your Committee also finds that Filipinos are the largest Asian ethnic and non-white group in Hawaii, at more than twenty-five percent of the population, and have a large presence and cultural footprint in the State. Your Committee notes that there is currently no mandated curriculum regarding Asian American history in Hawaii schools. Your Committee believes that implementing a social studies course for high school students to learn about Filipino history, culture, and identity will promote positive racial relations and attitudes amongst all ethnic groups.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 56, 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. 56, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

**SCRep. 1625-22 Education on H.R. No. 67**

The purpose of this measure is to urge the Board of Education to rename the James B. Castle High School Football Field after former Representative Ken Ito.

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

Your Committee finds that James B. Castle High School, also known as Castle High School, is the largest of four high schools in the Windward District and serves a socio-economically diverse community from suburban Kaneohe to rural Kualoa. Your Committee further finds that Castle High School's football team, the Castle Knights, is an exemplary high school athletic program that gives young athletes the opportunity to learn about the sport and apply themselves in a competitive setting against other high schools in the State.

Your Committee additionally finds that former Representative Ken Ito served in the State House of Representatives for over twenty-three years. Your Committee notes that Representative Ito has been a constant supporter of Castle High School for many decades, including earning the honor of being placed on the Castle Knights Athletic Wall of Honor in 2016, and was instrumental in securing funds for Castle High School's current football field. Your Committee believes that renaming Castle High School's football field after Representative Ito will show the community's appreciation for Representative Ito and honor his work for Castle High School.

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. 67 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, 2 (Gates, Ohno).

**SCRep. 1626-22 Education on H.C.R. No. 74**

The purpose of this measure is to urge the Board of Education to rename the James B. Castle High School Football Field after former Representative Ken Ito.

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

Your Committee finds that James B. Castle High School, also known as Castle High School, is the largest of four high schools in the Windward District and serves a socio-economically diverse community from suburban Kaneohe to rural Kualoa. Your Committee further finds that Castle High School's football team, the Castle Knights, is an exemplary high school athletic program that gives young athletes the opportunity to learn about the sport and apply themselves in a competitive setting against other high schools in the State.

Your Committee additionally finds that former Representative Ken Ito served in the State House of Representatives for over twenty-three years. Your Committee notes that Representative Ito has been a constant supporter of Castle High School for many decades, including earning the honor of being placed on the Castle Knights Athletic Wall of Honor in 2016, and was instrumental in securing funds for Castle High School's current football field. Your Committee believes that renaming Castle High School's football field after Representative Ito will show the community's appreciation for Representative Ito and honor his work for Castle High School.

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. 74 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, 2 (Gates, Ohno).

**SCRep. 1627-22 Education on H.R. No. 134**

The purpose of this measure is to request the Department of Education to ensure that career and technical education standards focus on place-based responsiveness to climate change and preparing students to engage in a growing green economy.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that the State faces an uncertain future as the global climate crisis intensifies, putting the health of Hawaii's people, environment, and economy at risk. Your Committee further finds that to survive and adapt to the climate crisis, Hawaii must proactively transition to a green economy that protects the State's natural resources for future generations while providing good jobs for the people of Hawaii. Your Committee additionally finds that providing the next generation of Hawaii's children with a strong grounding in Native Hawaiian knowledge is essential to empowering them to be active participants in a just transition to a regenerative economy that honors Hawaii's unique sense of place.

Your Committee also finds that career and technical education programs have a crucial role to play in preparing students to participate in a green workforce and allowing students to explore potential career pathways in sustainable industries. Your Committee believes that career and technical education programs across all career pathways must be reoriented to prepare the State's students to enter the workforce as responsible stewards of the 'āina.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 134, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 134, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1628-22 Education on H.C.R. No. 134**

The purpose of this measure is to request the Department of Education to ensure that career and technical education standards focus on place-based responsiveness to climate change and preparing students to engage in a growing green economy.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the State faces an uncertain future as the global climate crisis intensifies, putting the health of Hawaii's people, environment, and economy at risk. Your Committee further finds that to survive and adapt to the climate crisis, Hawaii must proactively transition to a green economy that protects the State's natural resources for future generations while providing good jobs for the people of Hawaii. Your Committee additionally finds that providing the next generation of Hawaii's children with a strong grounding in Native Hawaiian knowledge is essential to empowering them to be active participants in a just transition to a regenerative economy that honors Hawaii's unique sense of place.

Your Committee also finds that career and technical education programs have a crucial role to play in preparing students to participate in a green workforce and allowing students to explore potential career pathways in sustainable industries. Your Committee believes that career and technical education programs across all career pathways must be reoriented to prepare the State's students to enter the workforce as responsible stewards of the 'āina.

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 Education 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 Finance in the form attached hereto as H.C.R. No. 134, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 11. Noes, none. Excused, 2 (Gates, Ohno).

#### **SCRep. 1629-22 Education on H.R. No. 135**

The purpose of this measure is to request the Department of Education to develop farm to school implementation standards and add the standards to the annual school principal evaluations.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that the Hawaii Farm to School Program was established in 2015 to transition the State's school food systems toward locally grown food for the benefit of students, small businesses, local farmers, and the environment. Your Committee further finds that principals and school administration play a key role in the implementation of farm to school programs. Your Committee believes that adding farm to school implementation standards to the annual school principal evaluations will improve student access to fresh, local foods in public school food programs.

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. 135 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, 2 (Gates, Ohno).

#### **SCRep. 1630-22 Education on H.C.R. No. 135**

The purpose of this measure is to request the Department of Education to develop farm to school implementation standards and add the standards to the annual school principal evaluations.

Your Committee received testimony in opposition to this measure from the Department of Education.

Your Committee finds that the Hawaii Farm to School Program was established in 2015 to transition the State's school food systems toward locally grown food for the benefit of students, small businesses, local farmers, and the environment. Your Committee further finds that principals and school administration play a key role in the implementation of farm to school programs. Your Committee believes that adding farm to school implementation standards to the annual school principal evaluations will improve student access to fresh, local foods in public school food programs.

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. 135 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, 2 (Gates, Ohno).

#### **SCRep. 1631-22 Agriculture on H.R. No. 59**

The purpose of this measure is to request the Department of Agriculture, in consultation with the United States Department of Agriculture Food Safety and

Inspection Service, to develop a certification process for hunters to become certified inspectors in order to inspect their own game for sale.

Your Committee received testimony in support of this measure from the Maui Chamber of Commerce and one individual.

Your Committee finds that axis deer are thriving on Maui and Molokai and number in the tens of thousands. With no natural predators and an ample food supply, this invasive species is causing havoc to the environment and millions in damage annually. Axis deer threaten native forests, damage agricultural crops and native and ornamental vegetation, cause erosion, and cause traffic accidents. Your Committee also finds that although hunting axis deer is a significant part of the hunting culture on certain islands, selling the meat is time-consuming and challenging as the meat must first be inspected by a United States Department of Agriculture Food Safety Inspection Service inspector. Deer meat is not under the Federal Meat Inspection Act like beef but instead falls under voluntary inspection by the United States Department of Agriculture Food Safety and Inspection Service. Without a state meat inspection program and with few Food Safety Inspection Service employees in the State, providing hunters the opportunity to become certified inspectors will expedite the meat inspection process and help to limit the overpopulation of axis deer in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Agriculture is requested to work with the federal government to develop the certification process;
- (2) Amending its title in accordance with its intended purpose; 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 59, 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. 59, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1632-22 Agriculture on H.C.R. No. 65**

The purpose of this measure is to request the Department of Agriculture, in consultation with the United States Department of Agriculture Food Safety and Inspection Service, to develop a certification process for hunters to become certified inspectors in order to inspect their own game for sale.

Your Committee received testimony in support of this measure from two members of the Maui County Council, Maui Chamber of Commerce, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture. Your Committee received comments on this measure from one individual.

Your Committee finds that axis deer are thriving on Maui and Molokai and number in the tens of thousands. With no natural predators and an ample food supply, this invasive species is causing havoc to the environment and millions in damage annually. Axis deer threaten native forests, damage agricultural crops and native and ornamental vegetation, cause erosion, and cause traffic accidents. Your Committee also finds that although hunting axis deer is a significant part of the hunting culture on certain islands, selling the meat is time-consuming and challenging as the meat must first be inspected by a United States Department of Agriculture Food Safety Inspection Service inspector. Deer meat is not under the Federal Meat Inspection Act like beef but instead falls under voluntary inspection by the United States Department of Agriculture Food Safety and Inspection Service. Without a state meat inspection program and with few Food Safety Inspection Service employees in the State, providing hunters the opportunity to become certified inspectors will expedite the meat inspection process and help to limit the overpopulation of axis deer in the State.

Your Committee has amended this measure by:

- (1) Clarifying that the Department of Agriculture is requested to work with the federal government to develop the certification process;
- (2) Amending its title in accordance with its intended purpose; 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 65, 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. 65, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1633-22 Agriculture on H.R. No. 68**

The purpose of this measure is to urge the City and County of Honolulu Department of Environmental Services to partner with the University of Hawaii, Pacific American Foundation, and other organizations to utilize the property located at 45-230 Kulauli Street, Kaneohe, Hawaii, for aquaculture purposes that will not unreasonably interfere with the Department of Environmental Services' regular use of the property.

Your Committee received testimony in support of this measure from the Pacific American Foundation.

Your Committee finds that the City and County of Honolulu owns the parcel of land that was the location of the former Kaneohe Wastewater Pretreatment Facility, which was located on the parcel of land at 45-230 Kulauli Street in Kaneohe, Hawaii. Since its decommissioning, only ancillary structures and a storage structure are maintained on the parcel of land; the rest of the property is underutilized. Your Committee also finds that the parcel of land is located adjacent to Waikalua Loko Fishpond, also known as Waikalua Loko I'a, a four-hundred-year-old ancient Hawaiian fishpond that the Pacific American Foundation and Pacific American Foundation Hawaii, Inc., embarked on restoring in partnership with the Waikalua Loko Fishpond Preservation Society. Your Committee finds that there is an opportunity to put the sixteen-acre property to productive use for aquaculture purposes.

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. 68 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. 1634-22 Agriculture on H.C.R. No. 75**

The purpose of this measure is to urge the City and County of Honolulu Department of Environmental Services to partner with the University of Hawaii, Pacific American Foundation, and other organizations to utilize the property located at 45-230 Kulauli Street, Kaneohe, Hawaii, for aquaculture purposes that

will not unreasonably interfere with the Department of Environmental Services' regular use of the property.

Your Committee received testimony in support of this measure from the Pacific American Foundation. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the City and County of Honolulu owns the parcel of land that was the location of the former Kaneohe Wastewater Pretreatment Facility, which was located on the parcel of land at 45-230 Kulauli Street in Kaneohe, Hawaii. Since its decommissioning, only ancillary structures and a storage structure are maintained on the parcel of land; the rest of the property is underutilized. Your Committee also finds that the parcel of land is located adjacent to Waikalua Loko Fishpond, also known as Waikalua Loko I'a, a four-hundred-year-old ancient Hawaiian fishpond that the Pacific American Foundation and Pacific American Foundation Hawaii, Inc., embarked on restoring in partnership with the Waikalua Loko Fishpond Preservation Society. Your Committee finds that there is an opportunity to put the sixteen-acre property to productive use for aquaculture purposes.

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. 75 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. 1635-22 Agriculture on H.R. No. 94**

The purpose of this measure is to urge the Honolulu City Council to review its ordinance on chickens, investigate the ordinance's role in contributing to the growing population of feral chickens, and take action to reduce the growing problem of feral chickens in the City and County of Honolulu.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the growing population of feral chickens in the City and County of Honolulu has led to increased nuisance complaints of feral chickens foraging in residential areas, crowing at inconvenient hours, and posing health and safety concerns with their unsanitary droppings and obstruction of traffic. Your Committee notes that section 7-2.5, Revised Ordinances of Honolulu, permits each household within the City and County of Honolulu to possess up to two chickens or peafowl and finds that the allowance of up to two chickens per household under the ordinance may have a role in the proliferation of feral chickens on Oahu. This measure urges the City and County of Honolulu to review its existing ordinance on chickens and take action to reduce this community problem.

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. 94 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. 1636-22 Agriculture on H.C.R. No. 99**

The purpose of this measure is to urge the Honolulu City Council to review its ordinance on chickens, investigate the ordinance's role in contributing to the growing population of feral chickens, and take action to reduce the growing problem of feral chickens in the City and County of Honolulu.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the growing population of feral chickens in the City and County of Honolulu has led to increased nuisance complaints of feral chickens foraging in residential areas, crowing at inconvenient hours, and posing health and safety concerns with their unsanitary droppings and obstruction of traffic. Your Committee notes that section 7-2.5, Revised Ordinances of Honolulu, permits each household within the City and County of Honolulu to possess up to two chickens or peafowl and finds that the allowance of up to two chickens per household under the ordinance may have a role in the proliferation of feral chickens on Oahu. This measure urges the City and County of Honolulu to review its existing ordinance on chickens and take action to reduce this community problem.

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. 99 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. 1637-22 Agriculture on H.R. No. 22**

The purpose of this measure is to request the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and strengthen statewide enforcement of restricted use pesticide violations; and submit the report, including any findings, recommendations, and proposed legislation, 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 Hawai'i SEED, Hawai'i Alliance for Progressive Action, and two individuals.

Your Committee finds that the failure to adhere to pesticide use instructions poses significant risks to public health and the environment. Despite these risks, pesticides have been misused and continue to be misused within the State, as evidenced by settlements reached with and fines levied by the United States Environmental Protection Agency, as well as the repeated failure of agribusiness operations on O'ahu and Kaua'i to properly implement worker protection standards. Your Committee further finds that a 2016 study prepared by an independent Joint Fact Finding Study Group recommended additional pesticide inspections, reporting, and legal compliance reviews. Act 45, Session Laws of Hawai'i 2018, was subsequently passed, which established additional state requirements, restrictions, and prohibitions related to restricted use pesticides.

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. 22 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. 1638-22 Agriculture on H.C.R. No. 24**

The purpose of this measure is to request the Department of Agriculture to submit a report on pesticide inspections conducted within the past five years and strengthen statewide enforcement of restricted use pesticide violations; and submit the report, including any findings, recommendations, and proposed legislation, 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 Hawai'i SEED, Hawai'i Alliance for Progressive Action, and ten individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the failure to adhere to pesticide use instructions poses significant risks to public health and the environment. Despite these risks, pesticides have been misused and continue to be misused within the State, as evidenced by settlements reached with and fines levied by the United States Environmental Protection Agency, as well as the repeated failure of agribusiness operations on O'ahu and Kaua'i to properly implement worker protection standards. Your Committee further finds that a 2016 study prepared by an independent Joint Fact Finding Study Group recommended additional pesticide inspections, reporting, and legal compliance reviews. Act 45, Session Laws of Hawai'i 2018, was subsequently passed, which established additional state requirements, restrictions, and prohibitions related to restricted use pesticides.

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. 24 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. 1639-22 Agriculture on H.R. No. 70**

The purpose of this measure is to request the Office of the Auditor to conduct a performance audit of the ten agricultural parks operated by the Agricultural Resource Management Division of the Department of Agriculture; and submit a report of its performance audit, including any findings, recommendations, and proposed legislation, to the Legislature no later than twenty days prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from Ho'ōla Farms and two individuals.

Your Committee finds that the Department of Agriculture operates ten agricultural parks on the islands of Hawai'i, Kaua'i, Moloka'i, and O'ahu. These agricultural parks contain a total of two hundred twenty-seven plots that provide access to irrigation and other infrastructure designed to support small family farms. The State's Agricultural Park Program is intended to make land available to small farmers at reasonable cost with long-term leases to help Hawai'i grow more of its own food. Your Committee further finds that issues with the management, or lack thereof, of some plots by the Department of Agriculture warrant this audit, especially in light of the legal action that has been filed against the Department of Agriculture regarding its management practices for a certain agricultural park.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 70, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.R. No. 70, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1640-22 Agriculture on H.C.R. No. 77**

The purpose of this measure is to request the Office of the Auditor to conduct a performance audit of the ten agricultural parks operated by the Agricultural Resource Management Division of the Department of Agriculture; and submit a report of its performance audit, including any findings, recommendations, and proposed legislation, to the Legislature no later than twenty days prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from Ho'ōla Farms and three individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that the Department of Agriculture operates ten agricultural parks on the islands of Hawai'i, Kaua'i, Moloka'i, and O'ahu. These agricultural parks contain a total of two hundred twenty-seven plots that provide access to irrigation and other infrastructure designed to support small family farms. The State's Agricultural Park Program is intended to make land available to small farmers at reasonable cost with long-term leases to help Hawai'i grow more of its own food. Your Committee further finds that issues with the management, or lack thereof, of some plots by the Department of Agriculture warrant this audit, especially in light of the legal action that has been filed against the Department of Agriculture regarding its management practices for a certain agricultural park.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Agriculture 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, 8. Noes, none. Excused, none.

#### **SCRep. 1641-22 Agriculture on H.R. No. 23**

The purpose of this measure is to urge the Department of Education's School Food Services Branch to adopt an addendum to its agreements for 'Āina Pono requiring the procurement of goods, services, or both from food hubs.

Your Committee received testimony in support of this measure from Hawai'i SEED, Hawai'i Alliance for Progressive Action, Hawai'i Farm to School Hui, and three individuals.

Your Committee finds that the State has a vested interest in supporting the proliferation of local food sources in order to increase Hawai'i's self-reliance, as evidenced by the passing of Act 55, Session Laws of Hawai'i 2013, which encourages the purchase and use of Hawai'i-grown food and food products. In alignment with this goal, food hubs are a means of supporting local farmers, especially small- and mid-sized farming operations. Your Committee further finds that the 'Āina Pono program is a farm-to-school initiative that supports local food systems while promoting healthy behaviors and better outcomes for students. Fostering a connection between this program and existing food hubs will support Hawaii's rural communities while expanding students' access to fresh, locally

grown food.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Agriculture 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 Education in the form attached hereto as H.R. No. 23, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1642-22 Agriculture on H.C.R. No. 25**

The purpose of this measure is to urge the Department of Education's School Food Services Branch to adopt an addendum to its agreements for 'Āina Pono requiring the procurement of goods, services, or both from food hubs.

Your Committee received testimony in support of this measure from Hawai'i SEED, Hawai'i Alliance for Progressive Action, Hawai'i Farm to School Hui, and seven individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Education.

Your Committee finds that the State has a vested interest in supporting the proliferation of local food sources in order to increase Hawai'i's self-reliance, as evidenced by the passing of Act 55, Session Laws of Hawai'i 2013, which encourages the purchase and use of Hawai'i-grown food and food products. In alignment with this goal, food hubs are a means of supporting local farmers, especially small- and mid-sized farming operations. Your Committee further finds that the 'Āina Pono program is a farm-to-school initiative that supports local food systems while promoting healthy behaviors and better outcomes for students. Fostering a connection between this program and existing food hubs will support Hawaii's rural communities while expanding students' access to fresh, locally grown food.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Agriculture that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 25, as amended herein, and recommends that it be referred to your Committee on Education in the form attached hereto as H.C.R. No. 25, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1643-22 Government Reform on H.R. No. 146**

The purpose of this measure is to request the Office of Information Practices to convene a working group to develop a recommendation for a new exception to the Uniform Information Practices Act (Modified) for agency records that are deliberative and pre-decisional.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Agriculture, University of Hawai'i System, Office of Information Practices, Common Cause Hawaii, and Hawaii Chapter of the Society of Professional Journalists. Your Committee received comments on this measure from the League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, and Grassroot Institute of Hawaii.

Your Committee finds that, in order for agencies to reach sound decisions on the various questions that come before them, agencies in some instances need their employees and officers to fully and frankly discuss proposed policies or tentative decisions at an internal level, outside the glare of publicity, and with the freedom to express views or editorial changes that may not be incorporated into the final decision. Your Committee further finds that interested stakeholders should be given the opportunity to consider whether there is consensus on the appropriate balance between transparency and deliberative process for effective agency decision-making in Hawaii.

This measure provides this opportunity by requesting the Office of Information Practices to convene a working group to make a recommendation that exempts deliberative and pre-decisional agency records from the Uniform Information Practices Act (Modified) that reasonably balances the public's interest in disclosure against the potential harm to an agency's ability to fully consider and make sound and informed decisions.

Your Committee notes that the League of Women Voters of Hawaii, Common Cause Hawaii, and Civil Beat Law Center for the Public Interest stated in their testimony before your Committee that they are interested and would appreciate the opportunity to participate in the working group.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 146 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Eli, Ichiyama, Woodson, Yamashita).

#### **SCRep. 1644-22 Government Reform on H.C.R. No. 146**

The purpose of this measure is to request the Office of Information Practices to convene a working group to develop a recommendation for a new exception to the Uniform Information Practices Act (Modified) for agency records that are deliberative and pre-decisional.

Your Committee received testimony in support of this measure from the Department of Taxation, Department of Land and Natural Resources, Department of Agriculture, University of Hawai'i System, Office of Information Practices, Common Cause Hawaii, and Hawaii Chapter of the Society of Professional Journalists. Your Committee received comments on this measure from the League of Women Voters of Hawaii, Civil Beat Law Center for the Public Interest, and Grassroot Institute of Hawaii.

Your Committee finds that, in order for agencies to reach sound decisions on the various questions that come before them, agencies in some instances need their employees and officers to fully and frankly discuss proposed policies or tentative decisions at an internal level, outside the glare of publicity, and with the freedom to express views or editorial changes that may not be incorporated into the final decision. Your Committee further finds that interested stakeholders should be given the opportunity to consider whether there is consensus on the appropriate balance between transparency and deliberative process for effective



agency decision-making in Hawaii.

This measure provides this opportunity by requesting the Office of Information Practices to convene a working group to make a recommendation that exempts deliberative and pre-decisional agency records from the Uniform Information Practices Act (Modified) that reasonably balances the public's interest in disclosure against the potential harm to an agency's ability to fully consider and make sound and informed decisions.

Your Committee notes that the League of Women Voters of Hawaii, Common Cause Hawaii, and Civil Beat Law Center for the Public Interest stated in their testimony before your Committee that they are interested and would appreciate the opportunity to participate in the working group.

As affirmed by the record of votes of the members of your Committee on Government Reform that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 146 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 4 (Eli, Ichiyama, Woodson, Yamashita).

#### **SCRep. 1645-22 Water & Land on H.R. No. 31**

The purpose of this measure is to request that the University of Hawai'i work with the National Oceanic and Atmospheric Administration and Department of Education to create a Coral Reef Advisory Team of Youth.

Your Committee received correspondence in support of this measure from the University of Hawai'i.

Your Committee finds that scientific engagement and environmental education are important opportunities for youth learning and empowerment. Collaboration between the University of Hawai'i, National Oceanic and Atmospheric Administration, and Hawai'i Department of Education could facilitate the creation of curricula and initiatives to further youth education, research, and engagement about coral reef conservation and restoration.

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. 31 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1646-22 Water & Land on H.C.R. No. 36**

The purpose of this measure is to request that the University of Hawai'i work with the National Oceanic and Atmospheric Administration and Department of Education to create a Coral Reef Advisory Team of Youth.

Your Committee received correspondence in support of this measure from the University of Hawai'i.

Your Committee finds that scientific engagement and environmental education are important opportunities for youth learning and empowerment. Collaboration between the University of Hawai'i, National Oceanic and Atmospheric Administration, and Hawai'i Department of Education could facilitate the creation of curricula and initiatives to further youth education, research, and engagement about coral reef conservation and restoration.

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. 36 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1647-22 Water & Land on H.R. No. 87**

The purpose of this measure is to request the City and County of Honolulu to purchase certain tax map key parcels to be used for additional parking and other community needs, as deemed necessary by the City and County of Honolulu.

Your Committee received testimony in support of this measure from Waikiki Neighborhood Board No. 9; and two individuals.

Your Committee finds that the identified tax map key parcels in private possession have remained undeveloped despite the needs of the surrounding community. The adjacent area has several community facility needs, including parking, recreational parks, and electric vehicle charging stations. If purchased by the City and County of Honolulu, these underutilized parcels could serve important and currently-unmet community needs.

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. 87 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1648-22 Water & Land on H.C.R. No. 93**

The purpose of this measure is to request the City and County of Honolulu to purchase certain tax map key parcels to be used for additional parking and other community needs, as deemed necessary by the City and County of Honolulu.

Your Committee received testimony in support of this measure from the Chair of the City and County of Honolulu City Council; Waikiki Neighborhood Board No. 9; Lucky Cat Properties Group, LLC; and twenty-two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the identified tax map key parcels in private possession have remained undeveloped despite the needs of the surrounding community. The adjacent area has several community facility needs, including parking, recreational parks, and electric vehicle charging stations. If purchased by the City and County of Honolulu, these underutilized parcels could serve important and currently-unmet community needs.

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. 93 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1649-22 Housing on H.R. No. 104**

The purpose of this measure is to:

- (1) Urge the Hawaii Housing Finance and Development Corporation to combat hostile and harmful actions by profit-driven investors and aggregators participating in the State's Low-Income Housing Tax Credit Program; and
- (2) Request Hawaii's congressional delegation to work on federal legislation that strengthens the right of first refusal in Low-Income Housing Tax Credit projects and addresses profiteering off affordable housing.

Your Committee received testimony in support of this measure from Catholic Charities Hawai'i. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Low-Income Housing Tax Credit Program has financed the construction and rehabilitation of thousands of affordable rental units in the State. This financing tool provides tax credits for private developers and nonprofit entities to construct or rehabilitate affordable rental units. In the case of Low-Income Housing Tax Credit Program projects, nonprofit developers apply for these Low-Income Housing Tax Credits from the State and then sell the tax credits to banks or other institutions with high tax liabilities, with the proceeds from the sale of the tax credits funding the construction or renovation of buildings. Your Committee further finds that investors who purchase the tax credits maintain some ownership in these projects during a fifteen-year compliance period.

Recently, however, there has been an emerging threat to nonprofit affordable housing whereby some entities manipulate the Low-Income Housing Tax Credit for personal profit by blocking the nonprofits' right of first refusal, which is a key provision of the Low-Income Housing Tax Credit. This right of first refusal protects permanent affordability by enabling nonprofits to purchase the buildings they develop for a minimal price at the end of the compliance period. This measure urges that greater efforts be taken to ensure compliance with the right of first refusal in Low-Income Housing Tax Credit projects, as it is critical that these projects remain affordable in light of the ongoing housing and homelessness crisis in the State.

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. 104 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1650-22 Housing on H.C.R. No. 108**

The purpose of this measure is to:

- (1) Urge the Hawaii Housing Finance and Development Corporation to combat hostile and harmful actions by profit-driven investors and aggregators participating in the State's Low-Income Housing Tax Credit Program; and
- (2) Request Hawaii's congressional delegation to work on federal legislation that strengthens the right of first refusal in Low-Income Housing Tax Credit projects and addresses profiteering off affordable housing.

Your Committee received testimony in support of this measure from Catholic Charities Hawai'i. Your Committee received testimony in opposition to this measure from Stanford Carr Development, LLC. Your Committee received comments on this measure from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the Low-Income Housing Tax Credit Program has financed the construction and rehabilitation of thousands of affordable rental units in the State. This financing tool provides tax credits for private developers and nonprofit entities to construct or rehabilitate affordable rental units. In the case of Low-Income Housing Tax Credit Program projects, nonprofit developers apply for these Low-Income Housing Tax Credits from the State and then sell the tax credits to banks or other institutions with high tax liabilities, with the proceeds from the sale of the tax credits funding the construction or renovation of buildings. Your Committee further finds that investors who purchase the tax credits maintain some ownership in these projects during a fifteen-year compliance period.

Recently, however, there has been an emerging threat to nonprofit affordable housing whereby some entities manipulate the Low-Income Housing Tax Credit for personal profit by blocking the nonprofits' right of first refusal, which is a key provision of the Low-Income Housing Tax Credit. This right of first refusal protects permanent affordability by enabling nonprofits to purchase the buildings they develop for a minimal price at the end of the compliance period. This measure urges that greater efforts be taken to ensure compliance with the right of first refusal in Low-Income Housing Tax Credit projects, as it is critical that these projects remain affordable in light of the ongoing housing and homelessness crisis in the State.

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. 108 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1651-22 Housing on H.R. No. 126**

The purpose of this measure is to urge all state and county agencies to follow the true intent of chapter 201H, Hawaii Revised Statutes, and the express provisions of section 201H-38, Hawaii Revised Statutes, rather than impose additional restrictions and processes, to address the shortage of affordable housing in the State.

Your Committee received testimony in support of this measure from Stanford Carr Development, LLC and Imanaka Asato, LLC.

Your Committee finds that the critical need for affordable and available housing continue to be a serious problem in the State, with dire, direct ramifications on families and individuals who are unable to secure a stable place to live and negative impacts on the quality of life for all in the State. Your Committee also finds that the Hawaii Housing Finance and Development Corporation (Corporation) is tasked with developing and financing low- and moderate-income housing projects and administering homeownership programs.

Additionally, the Corporation is granted extensive powers to assist in financing and developing affordable housing in the State. Section 201H-38, Hawaii Revised Statutes, authorizes the Corporation to develop affordable housing projects that are exempt from all laws, rules, and regulations that impact development, subject to certain conditions. Your Committee notes that the counties are granted the same housing powers and authority as those granted to the Corporation. This measure urges all state and county agencies to embrace the true intent of these statutory powers, as this commitment is vital to the creation of affordable housing throughout the State.

Your Committee has amended this measure by:

- (1) Requesting that certified copies of this measure be transmitted to all members of each county council; and
- (2) Making technical, 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. 126, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 126, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1652-22 Housing on H.C.R. No. 126**

The purpose of this measure is to urge all state and county agencies to follow the true intent of chapter 201H, Hawaii Revised Statutes, and the express provisions of section 201H-38, Hawaii Revised Statutes, rather than impose additional restrictions and processes, to address the shortage of affordable housing in the State.

Your Committee received testimony in support of this measure from Stanford Carr Development, LLC.

Your Committee finds that the critical need for affordable and available housing continue to be a serious problem in the State, with dire, direct ramifications on families and individuals who are unable to secure a stable place to live and negative impacts on the quality of life for all in the State. Your Committee also finds that the Hawaii Housing Finance and Development Corporation (Corporation) is tasked with developing and financing low- and moderate-income housing projects and administering homeownership programs.

Additionally, the Corporation is granted extensive powers to assist in financing and developing affordable housing in the State. Section 201H-38, Hawaii Revised Statutes, authorizes the Corporation to develop affordable housing projects that are exempt from all laws, rules, and regulations that impact development, subject to certain conditions. Your Committee notes that the counties are granted the same housing powers and authority as those granted to the Corporation. This measure urges all state and county agencies to embrace the true intent of these statutory powers, as this commitment is vital to the creation of affordable housing throughout the State.

Your Committee has amended this measure by:

- (1) Requesting that certified copies of this measure be transmitted to all members of each county council; and
- (2) Making technical, 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. 126, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 126, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 3 (Clark, LoPresti, McDermott).

#### **SCRep. 1653-22 Energy & Environmental Protection on H.R. No. 44**

The purpose of this measure is to request the Public Utilities Commission, in collaboration with the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, to convene a working group to create a Hawaii Low Income Home Energy Assistance Program to assist low-income households with paying for their home energy.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Labor and Industrial Relations' Office of Community Services, Hawaii State Energy Office, and Hawaiian Electric Company. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that Hawaii's electricity rates are one of the highest in the nation, at close to three times the national average, and vary based on availability of renewable resources, power plants, fuel costs, and pricing regulations. While the federal Low Income Home Energy Assistance Program assists low-income households that pay a high proportion of household income for home energy, benefits cannot be distributed once funds run out for the year. Therefore, establishing a state Low Income Home Energy Assistance Program would create additional assistance for households experiencing energy insecurity in the State.

Your Committee has amended this measure by:

- (1) Adding a representative from the Department of Labor and Industrial Relations' Office of Community Services to 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 44, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 44, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1654-22 Energy & Environmental Protection on H.C.R. No. 49**

The purpose of this measure is to request the Public Utilities Commission, in collaboration with the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, to convene a working group to create a Hawaii Low Income Home Energy Assistance Program to assist low-income households with paying for their home energy.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Labor and Industrial Relations' Office of Community Services, Hawaii State Energy Office, and Hawaiian Electric Company. Your Committee received comments on this measure from the Public Utilities Commission and one individual.

Your Committee finds that Hawaii's electricity rates are one of the highest in the nation, at close to three times the national average, and vary based on availability of renewable resources, power plants, fuel costs, and pricing regulations. While the federal Low Income Home Energy Assistance Program assists low-income households that pay a high proportion of household income for home energy, benefits cannot be distributed once funds run out for the year. Therefore, establishing a state Low Income Home Energy Assistance Program would create additional assistance for households experiencing energy insecurity in the State.

Your Committee has amended this measure by:

- (1) Adding a representative from the Department of Labor and Industrial Relations' Office of Community Services to 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 Energy & Environmental Protection 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 its adoption in the form attached hereto as H.C.R. No. 49, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1655-22 Energy & Environmental Protection on H.R. No. 63**

The purpose of this measure is to urge Marine Corps Base Hawaii to upgrade the capacity of its sewage treatment plant and redundancy of the components to ensure that final effluent quality is in compliance with state permitting requirements.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that Marine Corps Base Hawaii discharges approximately one and a half million gallons of treated wastewater a day into Kailua Bay, which is intensively used by swimmers, paddlers, divers, and surfers. Because the Marine Corps Base Hawaii water reclamation facility infrastructure was originally constructed in 1947 and does not currently include system redundancy to support necessary system maintenance, it is critical that Marine Corps Base Hawaii upgrade its sewage treatment plant to ensure that the treated wastewater it discharges complies with the proper regulations and standards.

Your Committee has amended this measure by:

- (1) Clarifying certain provisions relating to Marine Corps Base Hawaii;
- (2) Requesting that all Department of Defense installation services in Hawaii seek to migrate from R2 to R1 treatment standards, maximizing irrigation, reducing potable water consumption on military bases, and reducing discharge into Hawaii's waters; 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 concurs with the intent and purpose of H.R. No. 63, as amended herein, and recommends its adoption 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. 1656-22 Energy & Environmental Protection on H.C.R. No. 70**

The purpose of this measure is to urge Marine Corps Base Hawaii to upgrade the capacity of its sewage treatment plant and redundancy of the components to ensure that final effluent quality is in compliance with state permitting requirements.

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

Your Committee finds that Marine Corps Base Hawaii discharges approximately one and a half million gallons of treated wastewater a day into Kailua Bay, which is intensively used by swimmers, paddlers, divers, and surfers. Because the Marine Corps Base Hawaii water reclamation facility infrastructure was originally constructed in 1947 and does not currently include system redundancy to support necessary system maintenance, it is critical that Marine Corps Base Hawaii upgrade its sewage treatment plant to ensure that the treated wastewater it discharges complies with the proper regulations and standards.

Your Committee has amended this measure by:

- (1) Clarifying certain provisions relating to Marine Corps Base Hawaii;
- (2) Requesting that all Department of Defense installation services in Hawaii seek to migrate from R2 to R1 treatment standards, maximizing irrigation, reducing potable water consumption on military bases, and reducing discharge into Hawaii's waters; 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 concurs with the intent and purpose of H.C.R. No. 70, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 70, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1657-22 Energy & Environmental Protection on H.R. No. 82**

The purpose of this measure is to request the Office of Planning and Sustainable Development's Environmental Review Program to form a task force to recommend user-friendly improvements to the Program's website.

Your Committee received testimony in support of this measure from the Office of Planning and Sustainable Development.

Your Committee finds that although the Office of Planning and Sustainable Development's Environmental Review Program maintains a website that informs the public of pending environmental impact statements and environmental assessments, the website is not user-friendly, making the information difficult to access. A well-organized and searchable database of environmental assessments and environmental impact statements and other user-friendly features will encourage public participation in the environmental review process and increase transparency and accountability.

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. 82 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1658-22 Agriculture on H.R. No. 86**

The purpose of this measure is to urge the Department of Agriculture to assist coffee farmers in purchasing organic fertilizer to prevent coffee leaf rust.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action and two individuals.

Your Committee finds that in 2020, coffee leaf rust was discovered for the first time in the State on the islands of Hawaii and Maui. Considered to be one of the most damaging diseases of coffee plants, coffee leaf rust has since spread to the islands of Kauai, Lanai, Molokai, and Oahu. Your Committee further finds that the spread of coffee leaf rust on all Hawaiian Islands threatens the viability of the State's coffee industry, and therefore, the adoption of organic disease management strategies such as improving tree health is vital to containing this damaging disease.

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. 86 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Marten, Matayoshi, Tokioka). Noes, none. Excused, none.

**SCRep. 1659-22 Agriculture on H.C.R. No. 92**

The purpose of this measure is to urge the Department of Agriculture to assist coffee farmers in purchasing organic fertilizer to prevent coffee leaf rust.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action, Hawai'i SEED, and seven individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that in 2020, coffee leaf rust was discovered for the first time in the State on the islands of Hawaii and Maui. Considered to be one of the most damaging diseases of coffee plants, coffee leaf rust has since spread to the islands of Kauai, Lanai, Molokai, and Oahu. Your Committee further finds that the spread of coffee leaf rust on all Hawaiian Islands threatens the viability of the State's coffee industry, and therefore, the adoption of organic disease management strategies such as improving tree health is vital to containing this damaging disease.

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. 92 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Marten, Matayoshi, Tokioka). Noes, none. Excused, none.

**SCRep. 1660-22 Health, Human Services, & Homelessness on H.R. No. 88**

The purpose of this measure is to request the Department of Health to examine issues and barriers to enforcement to reduce noise from two-stroke engines, mopeds, and small off-road engines.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that noise pollution is a serious, prevalent, and increasing problem affecting quality of life in all areas of the State. Your Committee further finds that existing regulations are not effectively enforced and do not adequately address noise pollution emitted from two-stroke engines, mopeds, and small off-road engines. This measure addresses ongoing enforcement issues by requesting the Department of Health to examine issues and barriers to enforcement of noise control regulations.

Your Committee has amended this measure by:

- (1) Removing the President of the Senate and Speaker of the House of Representatives from the list of individuals who will receive a certified copy of this measure;
- (2) Making technical amendments to its title; 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. 88, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 88, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1661-22 Health, Human Services, & Homelessness on H.C.R. No. 94**

The purpose of this measure is to request the Department of Health to examine issues and barriers to enforcement to reduce noise from two-stroke engines, mopeds, and small off-road engines.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i.

Your Committee finds that noise pollution is a serious, prevalent, and increasing problem affecting quality of life in all areas of the State. Your Committee further finds that existing regulations are not effectively enforced and do not adequately address noise pollution emitted from two-stroke engines, mopeds, and small off-road engines. This measure addresses ongoing enforcement issues by requesting the Department of Health to examine issues and barriers to enforcement of noise control regulations.

Your Committee has amended this measure by:

- (1) Removing the President of the Senate and Speaker of the House of Representatives from the list of individuals who will receive a certified copy of this measure;
- (2) Making technical amendments to its title; 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. 94, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 94, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1662-22 Health, Human Services, & Homelessness on H.R. No. 117**

The purpose of this measure is to request the Department of Human Services to immediately cease intercepting social security payments for children in foster care.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that children in foster care are in critical need of support, including emotional and financial support. Your Committee also finds that the State uses the social security benefits of foster care children to help pay for the cost of their foster care, which may leave foster care children without a

safety net or a small safety net as adults. This measure requests the Department of Human Services to stop using social security payments for children in foster care and instead deposit the social security payments into savings accounts that foster care children can access when they return to their families, are adopted, or age-out of foster care.

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 Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 117, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 117, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1663-22 Health, Human Services, & Homelessness on H.C.R. No. 117**

The purpose of this measure is to request the Department of Human Services to immediately cease intercepting social security payments for children in foster care.

Your Committee received testimony in support of this measure from the Hawaii Family Advocacy Team. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that children in foster care are in critical need of support, including emotional and financial support. Your Committee also finds that the State uses the social security benefits of foster care children to help pay for the cost of their foster care, which may leave foster care children without a safety net or a small safety net as adults. This measure requests the Department of Human Services to stop using social security payments for children in foster care and instead deposit the social security payments into savings accounts that foster care children can access when they return to their families, are adopted, or age-out of foster care.

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 Health, Human Services, & Homelessness 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 its adoption 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, none.

**SCRep. 1664-22 Health, Human Services, & Homelessness on H.R. No. 137**

The purpose of this measure is to urge the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for children who are survivors of sex trafficking.

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

Your Committee finds that although Hawaii provides services for young victims of sex trafficking, neither the assessment center and shelter located at the Kawaiiloa Youth and Family Wellness Center nor the residential treatment program operated by Ho'ōla Nā Pua serve as an emergency shelter for child survivors of sex trafficking. Your Committee further finds that the only emergency shelter for child survivors of sex trafficking in the State temporarily ceased its operations in 2021 because of unexpected budget shortfalls. This measure improves the State's effectiveness in responding to sexual exploitation of children by urging the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for child survivors of sex trafficking.

Your Committee has amended this measure by:

- (1) Making a technical amendment to its title; and
- (2) Making technical, 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. 137, as amended herein, and recommends its adoption 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, none.

**SCRep. 1665-22 Health, Human Services, & Homelessness on H.C.R. No. 137**

The purpose of this measure is to urge the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for children who are survivors of sex trafficking.

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

Your Committee finds that although Hawaii provides services for young victims of sex trafficking, neither the assessment center and shelter located at the Kawaiiloa Youth and Family Wellness Center nor the residential treatment program operated by Ho'ōla Nā Pua serve as an emergency shelter for child survivors of sex trafficking. Your Committee further finds that the only emergency shelter for child survivors of sex trafficking in the State temporarily ceased its operations in 2021 because of unexpected budget shortfalls. This measure improves the State's effectiveness in responding to sexual exploitation of children by urging the Department of Human Services to establish or contract with a victim service provider to operate and maintain an emergency shelter for child survivors of sex trafficking.

Your Committee has amended this measure by:

- (1) Making a technical amendment to its title; and
- (2) Making technical, 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. 137, as amended herein, and recommends its adoption 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, none.

**SCRep. 1666-22 Health, Human Services, & Homelessness on H.R. No. 139**

The purpose of this measure is to request the Auditor to conduct an analysis regarding the scopes of practice for advanced practice registered nurses and physician assistants.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board. Your Committee received comments on this measure from the Office of the Auditor, Hawaii Medical Board, Board of Nursing, Hawai'i State Center for Nursing, and Healthcare Association of Hawaii.

Your Committee finds that there is a need to clearly distinguish the scopes of practice of advanced practice registered nurses and physician assistants and to determine the appropriate scope of practice for each of these professions in the State to better complement the work of physicians.

Your Committee notes that the intent of this measure is not to limit the scopes of practice of advanced practice registered nurses and physician assistants but rather to review existing laws to identify areas in which the scopes of practice for advanced practice registered nurses and physician assistants might be expanded.

Your Committee has amended this measure by:

- (1) Requesting that the Department of Commerce and Consumer Affairs conduct the analysis, rather than the Auditor;
- (2) Narrowing the scope of the analysis;
- (3) Transmitting a certified copy of this measure to the Director of Commerce and Consumer Affairs, rather than the Auditor;
- (4) Amending its title in accordance with its amended purpose; 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. 139, as amended herein, and recommends its adoption 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, none.

**SCRep. 1667-22 Health, Human Services, & Homelessness on H.C.R. No. 139**

The purpose of this measure is to request the Auditor to conduct an analysis regarding the scopes of practice for advanced practice registered nurses and physician assistants.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board and Hawai'i Academy of Physician Assistants. Your Committee received testimony in opposition to this measure from the Hawai'i Association of Professional Nurses and four individuals. Your Committee received comments on this measure from the Office of the Auditor, Hawaii Medical Board, Board of Nursing, Hawai'i State Center for Nursing, Healthcare Association of Hawaii, and one individual.

Your Committee finds that there is a need to clearly distinguish the scopes of practice of advanced practice registered nurses and physician assistants and to determine the appropriate scope of practice for each of these professions in the State to better complement the work of physicians.

Your Committee notes that the intent of this measure is not to limit the scopes of practice of advanced practice registered nurses and physician assistants but rather to review existing laws to identify areas in which the scopes of practice for advanced practice registered nurses and physician assistants might be expanded.

Your Committee has amended this measure by:

- (1) Requesting that the Department of Commerce and Consumer Affairs conduct the analysis, rather than the Auditor;
- (2) Narrowing the scope of the analysis;
- (3) Transmitting a certified copy of this measure to the Director of Commerce and Consumer Affairs, rather than the Auditor;
- (4) Amending its title in accordance with its amended purpose; 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. 139, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 139, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

**SCRep. 1668-22 Energy & Environmental Protection on H.R. No. 43**

The purpose of this measure is to request the Public Utilities Commission to consider efforts to mitigate high energy burdens for low- and moderate-income customers and investigate how to integrate considerations of energy equity and justice across its work.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Labor and Industrial Relations, Office of Community Services; and Hawaiian Electric Company. Your Committee received comments on this measure from the Hawaii State Energy Office and Public Utilities Commission.

Your Committee finds that many households in Hawaii have difficulty paying energy bills. Despite Hawaii having the highest electricity rates in the nation, the State's electric utilities do not offer utility specific low- to moderate-income discount rates and have limited, if any, bill assistance options. Therefore, it is critical to examine ways to assist low- and limited-income customers by reducing their residential electricity burden and ensuring continued access to electrical power.

Your Committee has amended this measure by:

- (1) Acknowledging the work of the Public Utilities Commission on energy resource issues;

- (2) Requesting the Public Utilities Commission to consider input from the Consumer Advocate;
- (3) Clarifying that the requested proceeding or proceedings established by the Public Utilities Commission should not be duplicative, but rather focus on the need for integration of energy equity and justice;
- (4) Amending its title in accordance with its amended purpose; 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 concurs with the intent and purpose of H.R. No. 43, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 43, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1669-22 Energy & Environmental Protection on H.C.R. No. 48**

The purpose of this measure is to request the Public Utilities Commission to consider efforts to mitigate high energy burdens for low- and moderate-income customers and investigate how to integrate considerations of energy equity and justice across its work.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Labor and Industrial Relations, Office of Community Services; Hawaiian Electric Company; and one individual. Your Committee received comments on this measure from the Hawaii State Energy Office and Public Utilities Commission.

Your Committee finds that many households in Hawaii have difficulty paying energy bills. Despite Hawaii having the highest electricity rates in the nation, the State's electric utilities do not offer utility specific low- to moderate-income discount rates and have limited, if any, bill assistance options. Therefore, it is critical to examine ways to assist low- and limited-income customers by reducing their residential electricity burden and ensuring continued access to electrical power.

Your Committee has amended this measure by:

- (1) Acknowledging the work of the Public Utilities Commission on energy resource issues;
- (2) Requesting the Public Utilities Commission to consider input from the Consumer Advocate;
- (3) Clarifying that the requested proceeding or proceedings established by the Public Utilities Commission should not be duplicative, but rather focus on the need for integration of energy equity and justice;
- (4) Amending its title in accordance with its amended purpose; 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 concurs with the intent and purpose of H.C.R. No. 48, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 48, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 1670-22 Higher Education & Technology on H.R. No. 121**

The purpose of this measure is to request the University of Hawaii to report on the Pamantasan Council's systemwide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from Hawai'i Friends of Civil Rights, Tinalak Filipino Education Council, Sariling Gawa Youth Council, Samahang Filipino Club at Hawai'i Community College, NAKEM Conferences, and nine individuals.

Your Committee finds that the Pamantasan Council has been working diligently to ensure that programs and courses on Philippine and Filipino language, culture, and history are offered at the University of Hawaii. The Pamantasan Council has also continued its work to support Filipino students' enrollment and transfer to four-year campuses, as well as the hiring of Filipino faculty at the University of Hawaii. In 2019, the Legislature passed Act 266, which appropriated funds to the Pamantasan Council, however due to the COVID-19 pandemic and resulting budget cuts, the monies were not able to be used as intended. This measure seeks a report from the University of Hawaii on the Pamantasan Council's efforts to improve the status of Filipinos at the University of Hawaii, including resource and budgetary needs.

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 H.R. No. 121 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 6 (Ganaden, Gates, Kapela, Ohno, Quinlan, Okimoto).

#### **SCRep. 1671-22 Higher Education & Technology on H.C.R. No. 121**

The purpose of this measure is to request the University of Hawaii to report on the Pamantasan Council's systemwide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from Hawai'i Friends of Civil Rights, Sariling Gawa Youth Council, Tinalak Filipino Education Council, Samahang Filipino Club at Hawai'i Community College, and twelve individuals.

Your Committee finds that the Pamantasan Council has been working diligently to ensure that programs and courses on Philippine and Filipino language, culture, and history are offered at the University of Hawaii. The Pamantasan Council has also continued its work to support Filipino students' enrollment and transfer to four-year campuses, as well as the hiring of Filipino faculty at the University of Hawaii. In 2019, the Legislature passed Act 266, which appropriated funds to the Pamantasan Council, however due to the COVID-19 pandemic and resulting budget cuts, the monies were not able to be used as intended. This measure seeks a report from the University of Hawaii on the Pamantasan Council's efforts to improve the status of Filipinos at the University of Hawaii, including resource and budgetary needs.

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 H.C.R. No. 121 and recommends its adoption.

Signed by the Chair on behalf of the Committee.



Ayes, 7. Noes, none. Excused, 6 (Ganaden, Gates, Kapela, Ohno, Quinlan, Okimoto).

**SCRep. 1672-22 Finance on S.B. No. 2644**

The purpose of this measure is to:

- (1) Extend until June 30, 2028, the limited exemption from licensing requirements for qualified electricians that was originally enacted by Act 65, Session Laws of Hawaii 2013, and extended pursuant to Act 60, Session Laws of Hawaii 2018; and
- (2) Make permanent the requirement for the Board of Electricians and Plumbers to submit reports to the Legislature relating to high voltage electrical work.

Your Committee received testimony in support of this measure from HMS Construction, Inc; Hawaiian Electric Company; International Brotherhood of Electrical Workers Local Union 1260; Rokstad Power Corporation; Land Use Research Foundation of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from the Contractors License Board, Board of Electricians and Plumbers, International Brotherhood of Electrical Workers Local Union 1186, 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. 2644, 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, 1 (Perruso). Excused, 2 (Eli, McDermott).

**SCRep. 1673-22 Finance on S.B. No. 2707**

The purpose of this measure is to:

- (1) Require the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of the employer's receipt of the exclusive representative's written request to negotiate; and
- (2) Establish that the employer's failure to initiate the negotiation within this time frame, or the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitutes an impasse to which the impasse procedures shall apply.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development and Department of Human Resources of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Budget and Finance.

As affirmed by the record of votes of 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. 2707, 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, McDermott).

**SCRep. 1674-22 Finance on S.B. No. 2783**

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, and Hawaii Health Systems Corporation. 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 S.B. No. 2783, 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, McDermott).

**SCRep. 1675-22 Finance on S.B. No. 2784**

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 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 S.B. No. 2784, 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, McDermott).

**SCRep. 1676-22 Finance on S.B. No. 2785**

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, and Hawaii Health Systems Corporation. 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 S.B. No. 2785, 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, McDermott).

**SCRep. 1677-22 Finance on S.B. No. 2786**

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 S.B. No. 2786, 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, McDermott).

**SCRep. 1678-22 Finance on S.B. No. 2787**

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. 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 S.B. No. 2787, 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, McDermott).

**SCRep. 1679-22 Finance on S.B. No. 2788**

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 S.B. No. 2788, 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, McDermott).

**SCRep. 1680-22 Finance on S.B. No. 2789**

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 and University of Hawai'i System. 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 S.B. No. 2789, 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, McDermott).

**SCRep. 1681-22 Finance on S.B. No. 2792**

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, IAFF, 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. 2792, 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, McDermott).

**SCRep. 1682-22 Finance on S.B. No. 2794**

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 and Hawaii Health Systems Corporation. 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 S.B. No. 2794, 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, McDermott).

**SCRep. 1683-22 Finance on S.B. No. 2795**

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. 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 S.B. No. 2795, 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, McDermott).

**SCRep. 1684-22 Finance on S.B. No. 2796**

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 (15) and their excluded counterparts.

Your Committee received comments on 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 S.B. No. 2796, 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, McDermott).

**SCRep. 1685-22 Finance on S.B. No. 3072**

The purpose of this measure is to identify certain types of alternative investment fund information, the disclosure of which would likely put the trust fund at a competitive disadvantage, and categorically exempt those categories of information from disclosure under the Uniform Information Practices Act, consistent with market best practices.

Your Committee received testimony in support of this measure from the Hawaii Employer-Union Health Benefits Trust Board of Trustees. Your Committee received testimony in opposition to this measure from Unite Here! Local 5 Hawaii. 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 S.B. No. 3072, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 2 (Perruso, Wildberger). Excused, 2 (Eli, McDermott).

**SCRep. 1686-22 Finance on S.B. No. 3126**

The purpose of this measure is to:

- (1) Require the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector;
- (2) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors who are in the exclusive employment of an owner-user inspection organization to perform safety inspections of pressure retaining items; and
- (3) Extend the time by which the Director of Labor and Industrial Relations is required to reimburse the general fund for the initial appropriation made to the Boiler and Elevator Revolving Fund.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawaiian Electric Company, and Par 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. 3126, S.D. 2, 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. 1687-22 Finance on S.B. No. 152**

The purpose of this measure is to:

- (1) Require a rear-facing child passenger restraint system with harness that meets federal motor vehicle safety standards at the time of manufacture, for child passengers under two years of age;
- (2) Amend other requirements relating to the restraint of child passengers under ten years of age;
- (3) Repeal exceptions for child passenger restraint compliance; and
- (4) Increase certain fines for violations of the child passenger restraint law.

Your Committee received testimony in support of this measure from the Department of Transportation, Honolulu Police Department, Kapi'olani Medical Center for Women & Children, Safe Kids Hawai'i, Keiki Injury Prevention Coalition, and AAA Hawai'i. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii Association for Justice and Juvenile Products Manufacturers 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 S.B. No. 152, 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. 1688-22 Finance on S.B. No. 2295**

The purpose of this measure is to require:

- (1) The Department of Transportation to plan for sea level rise in all future or amended transportation projects; and
- (2) All Department of Transportation highway, harbor, and airport projects to conform to certain carbon concrete standards, except in certain circumstances.

Your Committee received testimony in support of this measure from the Kauai Women's Caucus, Bikeshare 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. 2295, 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. 1689-22 Finance on S.B. No. 3121**

The purpose of this measure is to:

- (1) Establish an accessible parking special account within the Disability and Communication Access Board Special Fund;
- (2) Beginning July 1, 2023, require all costs associated with the Parking for Persons with Disabilities Program to be appropriated from the accessible parking special account; and
- (3) Increase the state annual vehicle registration fee by \$1 and allocate that \$1 to be deposited into the accessible parking special account.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board 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. 3121, 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. 1690-22 Finance on S.B. No. 3152**

The purpose of this measure is to make an emergency appropriation of \$20,000,000 for fiscal year 2021-2022 to the Department of Transportation to provide funding for the Highways Division's Special Maintenance Program.

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 S.B. No. 3152, 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. 1691-22 Judiciary & Hawaiian Affairs on H.C.R. No. 14**

The purpose of this measure is to establish a sister-state relationship between the State of Hawaii, United States of America, and the Autonomous Region of Madeira, Portugal.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development & Tourism, and the Honorary Consulate of Portugal in Hawaii.

Your Committee has amended this measure by:

- (1) Adding background information on the Archipelago of Madeira;
- (2) Replacing "President of the Autonomous Region of Madeira" with "President of the Regional Government of Madeira;" 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.C.R. No. 14, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 14, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1692-22 Judiciary & Hawaiian Affairs on H.R. No. 3**

The purpose of this measure is to urge the Hilo High School School Community Council to recommend that the Hilo High School Gym be named after Albert and Lawrence Manliguis.

Your Committee received testimony in support of this measure from the Manliguis Gym Hilo

Your Committee has amended this measure by:

- (1) Changing the title to read "URGING THE HILO HIGH SCHOOL SCHOOL COMMUNITY COUNCIL TO RECOMMEND THAT THE HILO HIGH SCHOOL GYM BE NAMED AFTER ALBERT AND LAWRENCE MANLIGUIS."

As 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. 3, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 3, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

#### **SCRep. 1693-22 Judiciary & Hawaiian Affairs on H.C.R. No. 7**

The purpose of this measure is to urge the Hilo High School School Community Council to recommend that the Hilo High School Gym be named after Albert and Lawrence Manliguis.

Your Committee received testimony in support of this measure from the Manliguis Gym Hilo.

Your Committee has amended this measure by:

- (1) Changing the title to read "URGING THE HILO HIGH SCHOOL SCHOOL COMMUNITY COUNCIL TO RECOMMEND THAT THE HILO HIGH

SCHOOL GYM BE NAMED AFTER ALBERT AND LAWRENCE MANLIGUIS."

As 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. 7, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 7, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1694-22 Judiciary & Hawaiian Affairs on H.R. No. 69**

The purpose of this measure is to convene a working group to determine any circumstances under which Government entities should be reimbursed for search and rescue services on land for trail users and what constitutes proper public notice of a trail user's illegal presence on land for purposes of imposing penalties for violations of law.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Adding language that the State of Hawaii Department of Land and Natural Resources is to convene the 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 concurs with the intent and purpose of H.R. No. 69, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 69, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1695-22 Judiciary & Hawaiian Affairs on H.C.R. No. 76**

The purpose of this measure is to convene a working group to determine any circumstances under which Government entities should be reimbursed for search and rescue services on land for trail users and what constitutes proper public notice of a trail user's illegal presence on land for purposes of imposing penalties for violations of law.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee has amended this measure by:

- (1) Adding language that the State of Hawaii Department of Land and Natural Resources is to convene the 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 concurs with the intent and purpose of H.C.R. No. 76, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 76, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1696-22 Judiciary & Hawaiian Affairs on H.R. No. 5**

The purpose of this measure is to request the display of the Prisoner of War and Missing in Action Flag at the State Capitol.

Your Committee received testimony in support of this measure from one individual.

Your Committee has amended this measure by:

- (1) Specifying the flag is to be flown yearly on Memorial Day, Veteran's Day, and the National POW/MIA Recognition 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. 5, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 5, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1697-22 Judiciary & Hawaiian Affairs on H.C.R. No. 8**

The purpose of this measure is to request the display of the Prisoner of War and Missing in Action Flag at the State Capitol.

Your Committee received testimony in support of this measure from one individual.

Your Committee has amended this measure by:

- (1) Specifying the flag is to be flown yearly on Memorial Day, Veteran's Day, and the National POW/MIA Recognition 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. 8, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 8, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1698-22 Judiciary & Hawaiian Affairs on H.R. No. 78**

The purpose of this measure is to urge the City and County of Honolulu to establish a new police district in Leeward Oahu to provide adequate police services and law enforcement response for growing Leeward Oahu communities.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and two individuals.

Your Committee urges the Counties to invest more resources into police officer recruitment and training, as the testimony from SHOPO highlighted the urgent need for more police officers throughout 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 concurs with the intent and purpose of H.R. No. 78 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1699-22 Judiciary & Hawaiian Affairs on H.C.R. No. 87**

The purpose of this measure is to urge the City and County of Honolulu to establish a new police district in Leeward Oahu to provide adequate police services and law enforcement response for growing Leeward Oahu communities.

Your Committee received testimony in support of this measure from the State of Hawaii Organization of Police Officers and three individuals.

Your Committee urges the Counties to invest more resources into police officer recruitment and training, as the testimony from SHOPO highlighted the urgent need for more police officers throughout 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 concurs with the intent and purpose of H.C.R. No. 87 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1700-22 Judiciary & Hawaiian Affairs on H.R. No. 166**

The purpose of this measure is to request the Governor establish a Hawaii Commission on the United States Semiquincentennial by executive order.

Your Committee received testimony in support of this measure from Hawaii Society's Sons of the American Revolution, America250, Veterans of Foreign Wars Post 10276, and seven individuals.

Your Committee has amended this measure by:

- (1) Transmitting a certified copy of this Concurrent Resolution to the Chairman and Executive Director of the United States Semiquincentennial 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 concurs with the intent and purpose of H.R. No. 166, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 166, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1701-22 Judiciary & Hawaiian Affairs on H.C.R. No. 166**

The purpose of this measure is to request the Governor to establish a Hawaii Commission on the United States Semiquincentennial by executive order.

Your Committee received testimony in support of this measure from America250, Hawaii Society's Sons of the American Revolution, and two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee has amended this measure by:

- (1) Transmitting a certified copy of this Concurrent Resolution to the Chairman and Executive Director of the United States Semiquincentennial 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 concurs with the intent and purpose of H.C.R. No. 166, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 166, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1702-22 Judiciary & Hawaiian Affairs on H.R. No. 45**

The purpose of this measure is to urge the Department of Education to convene a working group to remedy statewide school bus transportation inequities for schoolchildren from low- to moderate-income families.

Your Committee did not receive testimony on this measure.

As 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. 45, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1703-22 Judiciary & Hawaiian Affairs on H.C.R. No. 50**

The purpose of this measure is to urge the Department of Education to convene a working group to remedy statewide school bus transportation inequities for schoolchildren from low- to moderate-income families.

Your Committee received testimony in support of this measure from the Department of Education's Student Transportation Services Branch.

As 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. 50, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1704-22 Judiciary & Hawaiian Affairs on H.R. No. 50**

The purpose of this measure is to request the Department of Education to implement a Filipino history, culture, and identity social studies course for high school students.

Your Committee received testimony in support of this measure from Hawai'i Friends of Civil Rights, KasamahanCo, Tinalak Filipino Education Council, The Filipino Curriculum, Sariling Gawa Youth Council, 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 H.R. No. 50, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1705-22 Judiciary & Hawaiian Affairs on H.C.R. No. 56**

The purpose of this measure is to request the Department of Education to implement a Filipino history, culture, and identity social studies course for high school students.

Your Committee received testimony in support of this measure from Hawai'i Friends of Civil Rights, KasamahanCo, Tinalak Filipino Education Council, The Filipino Curriculum, Sariling Gawa Youth Council, and numerous 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 56, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1706-22 Judiciary & Hawaiian Affairs on H.R. No. 68**

The purpose of this measure is to urge the City and County of Honolulu Department of Environmental Services and partners to utilize the property located at 45-230 Kulauli Street, Kaneohe, Hawaii, for aquaculture purposes that will not unreasonably interfere with the Department's regular use of the property.

Your Committee received comments on this measure from the Department of Agriculture.

Your Committee notes that the utilization of the property for aquaculture purposes should be in the form of a lease or memorandum of agreement or understanding with the University of Hawaii or another entity, as appropriate. The intent of this resolution is not for the City and County of Honolulu to operate or manage an aquaculture facility.

As 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. 68 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1707-22 Judiciary & Hawaiian Affairs on H.C.R. No. 75**

The purpose of this measure is to urge the City and County of Honolulu Department of Environmental Services and partners to utilize the property located at 45-230 Kulauli Street, Kaneohe, Hawaii, for aquaculture purposes that will not unreasonably interfere with the Department's regular use of the property.

Your Committee received comments on this measure from the Department of Agriculture.

Your Committee notes that the utilization of the property for aquaculture purposes should be in the form of a lease or memorandum of agreement or understanding with the University of Hawaii or another entity, as appropriate. The intent of this resolution is not for the City and County of Honolulu to operate or manage an aquaculture facility.

As 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. 75 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1708-22 Judiciary & Hawaiian Affairs on H.R. No. 94**

The purpose of this measure is to urge the Honolulu City Council to review its ordinance on chickens, investigate the ordinance's role in contributing to the growing population of feral chickens, and take action to reduce the growing problem of feral chickens.

Your Committee received testimony in support of this measure from the Aiea Community Association and one individual. Your Committee received testimony in opposition 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. 94 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 8. Noes, 2 (McKelvey, Tokioka). Excused, 1 (D. Kobayashi).

**SCRep. 1709-22 Judiciary & Hawaiian Affairs on H.C.R. No. 99**

The purpose of this measure is to urge the Honolulu City Council to review its ordinance on chickens, investigate the ordinance's role in contributing to the growing population of feral chickens, and take action to reduce the growing problem of feral chickens.

Your Committee received testimony in support of this measure from the Aiea Community Association and one individual. Your Committee received testimony in opposition 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.C.R. No. 99 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 8. Noes, 2 (McKelvey, Tokioka). Excused, 1 (D. Kobayashi).

**SCRep. 1710-22 Judiciary & Hawaiian Affairs on H.R. No. 100**

The purpose of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kaua'i as "Pa'ula'ula."

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, County of Kaua'i Council Services Division, Ke One O Kakuhihewa, and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian

Sovereignty Studies.

As 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. 100 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1711-22 Judiciary & Hawaiian Affairs on H.C.R. No. 104**

The purpose of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kaua'i as "Pa'ūla'ūla."

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, County of Kaua'i Council Services Division, Ke One O Kakuhihewa, and one individual. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies.

As 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. 104 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1712-22 Judiciary & Hawaiian Affairs on H.R. No. 99**

The purpose of this measure is to urge the Public Utilities Commission to increase fines, fees, and enforcement efforts regarding tour bus operators who violate state law.

Your Committee received comments from the Public Utilities 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 concurs with the intent and purpose of H.R. No. 99 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1713-22 Judiciary & Hawaiian Affairs on H.C.R. No. 103**

The purpose of this measure is to urge the Public Utilities Commission to increase fines, fees, and enforcement efforts regarding tour bus operators who violate state law.

Your Committee received comments from the Public Utilities 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 concurs with the intent and purpose of H.C.R. No. 103 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1714-22 Judiciary & Hawaiian Affairs on H.R. No. 122**

The purpose of this measure is to urge the State Commission on the Status of Women to work with the Domestic Violence Action Center, the Filipino Chamber of Commerce of Hawai'i, and other Chambers of Commerce in Hawaii, as appropriate, to develop and implement an outreach program aimed at informing domestic violence victims of available resources for assistance.

Your Committee received testimony in support of this measure from Hawaii Friends of Civil Rights and the HI Coalition for Immigrant Rights.

As 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. 122, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1715-22 Judiciary & Hawaiian Affairs on H.C.R. No. 122**

The purpose of this measure is to urge the State Commission on the Status of Women to work with the Domestic Violence Action Center, the Filipino Chamber of Commerce of Hawai'i, and other Chambers of Commerce in Hawaii, as appropriate, to develop and implement an outreach program aimed at informing domestic violence victims of available resources for assistance.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women, the Domestic Violence Action Center, Hawaii Friends of Civil Rights, HI Coalition for Immigrant Rights, Hawaii State Coalition Against Domestic Violence, 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.C.R. No. 122, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 1 (D. Kobayashi).

**SCRep. 1716-22 Judiciary & Hawaiian Affairs on H.C.R. No. 27**

The purpose of this measure is to request the United States Census Bureau to re-designate the census-designated place known as Captain Cook on the island of Hawaii as Ka'awaloa and requesting Hawaii County to remove all references to Captain Cook as a place name on the island of Hawaii.

Your Committee received testimony in support of this measure from the Hawaii County Council, Kuakini Hawaiian Civic Club of Kona, Wailupe Ohana Council, Na Kupuna Moku O Keawe, Malu 'Aina, Ku-A-Kanaka, The KoLab Coworking + Community Space, Kuamoo Foundation, Shimanchu Wai Protectors Ukwanshin Kabudan, and numerous individuals. Your Committee received testimony in opposition to this measure from the Center for Hawaiian Sovereignty Studies, and two individuals. Your Committee received comments 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. 27, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (LoPresti, Tokioka). Noes, 1 (Ward). Excused, 1 (D. Kobayashi).

**SCRep. 1717-22 Finance on H.R. No. 143**

The purpose of this measure urges the Judiciary to partner with supporting agencies and request grant funds under the Victims of Crime Act to establish and support a restorative justice program in each county to allow victims and offenders an opportunity to participate in restorative justice.

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, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1718-22 Finance on H.C.R. No. 143**

The purpose of this measure urges the Judiciary to partner with supporting agencies and request grant funds under the Victims of Crime Act to establish and support a restorative justice program in each county to allow victims and offenders an opportunity to participate in restorative justice.

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. 143 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1719-22 Finance on H.R. No. 25**

The purpose of this measure is to encourage the Department of Transportation to work with the following to develop a holistic management plan that will ensure Hana Highway is properly maintained and is safe for residents and visitors:

- (1) The Department of Transportation of the County of Maui;
- (2) Hana Highway Regulation civil volunteer group; and
- (3) All large landowners whose properties are traversed by or accessible as a result of Hana Highway, including:
  - (A) The Department of Hawaiian Homelands;
  - (B) East Maui Irrigation Company, LLC;
  - (C) Hana Ranch Partners, LLC;
  - (D) Kingdom Come, LLC; and
  - (E) Saint Mary's Church of the Roman Catholic Church of Hawaii.

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

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1720-22 Finance on H.C.R. No. 29**

The purpose of this measure is to encourage the Department of Transportation to work with the following to develop a holistic management plan that will ensure Hana Highway is properly maintained and is safe for residents and visitors:

- (1) The Department of Transportation of the County of Maui;
- (2) Hana Highway Regulation civil volunteer group; and
- (3) All large landowners whose properties are traversed by or accessible as a result of Hana Highway, including:
  - (A) The Department of Hawaiian Homelands;
  - (B) East Maui Irrigation Company, LLC;
  - (C) Hana Ranch Partners, LLC;
  - (D) Kingdom Come, LLC; and
  - (E) Saint Mary's Church of the Roman Catholic Church of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 29 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1721-22 Finance on H.R. No. 33**

The purpose of this measure is to request the Auditor to submit a report of the performance audit, including an analysis of the Hawaii Information Portal, an assessment of relevant Department of Health and Hawaii State Hospital procedures, recommendations on any further actions needed, and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 33 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1722-22 Finance on H.C.R. No. 38**

The purpose of this measure is to request the Auditor to submit a report of the performance audit, including an analysis of the Hawaii Information Portal, an assessment of relevant Department of Health and Hawaii State Hospital procedures, recommendations on any further actions needed, and any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 38 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1723-22 Finance on H.R. No. 46**

The purpose of this measure is to request the Department of Education to prioritize funding for air conditioning in schools on Hawaii island that are regularly affected by vog.

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. 46, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1724-22 Finance on H.C.R. No. 51**

The purpose of this measure is to request the Department of Education to prioritize funding for air conditioning in schools on Hawaii island that are regularly affected by vog.

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. 51, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1725-22 Finance on H.R. No. 67**

The purpose of this measure is to urge the Board of Education to rename the James B. Castle High School football field after former Representative Ken Ito in recognition of his work for the State, his community, and Castle High School.

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. 67 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1726-22 Finance on H.C.R. No. 74**

The purpose of this measure is to urge the Board of Education to rename the James B. Castle High School football field after former Representative Ken Ito in recognition of his work for the State, his community, and Castle High School.

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. 74 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1727-22 Finance on H.R. No. 73**

The purpose of this measure is to urge the Department of Land and Natural Resources, with the input of the Natural Area Reserves Systems Commission, to explore the possibility of expanding the Mount Ka'ala Natural Area Reserve to include the slopes of Mount Ka'ala, particularly in the Waialua direction; and request the Department of Land and Natural Resources to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 73 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1728-22 Finance on H.C.R. No. 82**

The purpose of this measure is to urge the Department of Land and Natural Resources, with the input of the Natural Area Reserves Systems Commission to explore the possibility of expanding the Mount Ka'ala Natural Area Reserve to include the slopes of Mount Ka'ala, particularly in the Waialua direction; and request the Department of Land and Natural Resources to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 82 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1729-22 Finance on H.R. No. 102**

The purpose of this measure is to urge Hawaii's Congressional delegation to introduce and support legislation that would repeal the state and local taxes

cap, which negatively impacts the State's residents and economy.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 102, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1730-22 Finance on H.C.R. No. 106**

The purpose of this measure is to urge Hawaii's Congressional delegation to introduce and support legislation that would repeal the state and local taxes cap, which negatively impacts the State's residents and economy.

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. 106, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1731-22 Finance on H.R. No. 107**

The purpose of this measure is to encourage the City and County of Honolulu to expand and improve services at the Wai'anae Convenience Center; and request the Department of Environmental Services Refuse Division of the City and County of Honolulu to consider increasing the number of bins provided at the Center and hiring adequate staff, such as additional refuse vehicle drivers.

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. 107 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1732-22 Finance on H.C.R. No. 111**

The purpose of this measure is to encourage the City and County of Honolulu to expand and improve services at the Wai'anae Convenience Center; and request the Department of Environmental Services Refuse Division of the City and County of Honolulu to consider increasing the number of bins provided at the Center and hiring adequate staff, such as additional refuse vehicle drivers.

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, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1733-22 Finance on H.R. No. 119**

The purpose of this measure is to request the State Foundation on Culture and the Arts to provide a report on the total amount of funding expended from the Works of Art Special Fund for the curation of art produced by an individual of Native Hawaiian descent ("Native Hawaiian art"), number of Native Hawaiian art pieces acquired, percentage of all works collected through the Works of Art Special Fund that is Native Hawaiian art, cost per Native Hawaiian art piece acquired, and percentage of the cost of all works collected through the Works of Art Special Fund attributed to the cost of acquiring Native Hawaiian art; and request the Foundation to submit the report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 119 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1734-22 Finance on H.C.R. No. 119**

The purpose of this measure is to request the State Foundation on Culture and the Arts to provide a report on the total amount of funding expended from the Works of Art Special Fund for the curation of art produced by an individual of Native Hawaiian descent ("Native Hawaiian art"), number of Native Hawaiian art pieces acquired, percentage of all works collected through the Works of Art Special Fund that is Native Hawaiian art, cost per Native Hawaiian art piece acquired, and percentage of the cost of all works collected through the Works of Art Special Fund attributed to the cost of acquiring Native Hawaiian art; and request the Foundation to submit the report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1735-22 Finance on H.R. No. 125**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Driver Education Program administered by the Departments of Transportation and Education; examine the administration of, as well as the policies and procedures of, the Driver Education Program; examine the backlog of driver education opportunities and programs and whether these activities are being conducted effectively, efficiently, economically, ethically, and equitably; and submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 125 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1736-22 Finance on H.C.R. No. 125**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Driver Education Program administered by the Departments of Transportation and Education; examine the administration of, as well as the policies and procedures of, the Driver Education Program; examine the backlog of driver education opportunities and programs and whether these activities are being conducted effectively, efficiently, economically, ethically, and equitably; and submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 125 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1737-22 Finance on H.R. No. 134**

The purpose of this measure is to request the Department of Education to ensure that career and technical education standards focus on place-based responsiveness to climate change and prepare students to engage in a growing green economy.

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. 134, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1738-22 Finance on H.C.R. No. 134**

The purpose of this measure is to request the Department of Education to ensure that career and technical education standards focus on place-based responsiveness to climate change and prepare students to engage in a growing green economy.

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. 134, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1739-22 Finance on H.R. No. 153**

The purpose of this measure urges the counties to develop an option that allows state residents to remit their motor vehicle registration taxes and fees on a pro-rated semiannual basis.

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. 153, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1740-22 Finance on H.C.R. No. 153**

The purpose of this measure urges the counties to develop an option that allows state residents to remit their motor vehicle registration taxes and fees on a pro-rated semiannual basis.

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. 153, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1741-22 Finance on H.R. No. 170**

The purpose of this measure is to urge the City and County of Honolulu and the counties of Hawaii, Kauai, and Maui to utilize an empty homes tax, similar to the Vancouver, British Columbia empty homes tax, as a means of addressing affordable housing in 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. 170 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1742-22 Finance on H.C.R. No. 170**

The purpose of this measure is to urge the City and County of Honolulu and the counties of Hawaii, Kauai, and Maui to utilize an empty homes tax, similar to the Vancouver, British Columbia empty homes tax, as a means of addressing affordable housing in 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. 170 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1743-22 Finance on H.R. No. 180**

The purpose of this measure is to request the Hawaii State Department of Transportation to convene a working group and various committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report; and consult with the Hawaii Congressional Delegation to sponsor a bill to establish a federal waterborne cargo subsidies program within the United States 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 concurs with the intent and purpose of H.R. No. 180, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1744-22 Finance on H.C.R. No. 180**

The purpose of this measure is to request the Hawaii State Department of Transportation to convene a working group and various committees to create and recommend federal, state, and county subsidies for the transport of waterborne cargo consistent with the findings and recommendations of the Water Carriers Working Group's final report; and consult with the Hawaii Congressional Delegation to sponsor a bill to establish a federal waterborne cargo subsidies program within the United States 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 concurs with the intent and purpose of H.C.R. No. 180, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1745-22 Finance on H.R. No. 184**

The purpose of this measure is to urge the United States Congress to provide adequate funding for immigration services, including moneys for additional United States Citizenship and Immigration Services staff to process case backlogs and moneys for free or low-cost court-appointed legal counsel for low-income immigrants, including low-income immigrants in Hawaii. Also requested is the provision of data to the Legislature on the effect of existing case backlogs and the lack of free or low-cost legal representation on immigration cases filed in Hawaii, including the cases' average processing times and outcomes and the applicants' nationalities and access to legal representation.

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. 184 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1746-22 Finance on H.R. No. 93**

The purpose of this measure is to request the Early Learning Board to prepare a report containing a road map, including proposed legislation, for the implementation of Act 46, Session Laws of Hawaii 2020; convene a working group composed of relevant state agency representatives and community stakeholders to assist the Board for the purposes of the report; update the public regarding the progress of the report at each meeting of the Board or working group; and submit its report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

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. 93, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1747-22 Finance on H.C.R. No. 3**

The purpose of this measure is to authorize the Board of Land and Natural Resources to add a portion of state submerged lands to a term, non-exclusive easement covering a portion of state reclaimed lands fronting the property identified as Tax Map Key: (1) 3-6-003:015, Wailupe, Honolulu, Oahu, for the existing seawall, and for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

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. 3, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (Wildberger). Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1748-22 Finance on H.C.R. No. 4**

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 fronting the property identified as Tax Map Key: (1) 4-7-001:006, Kahaluu, Koolaupoko, Oahu, for the existing seawall, steps, and filled land, and for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

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. 4 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (Wildberger). Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1749-22 Finance on H.C.R. No. 5**

The purpose of this measure is to issue a term, non-exclusive easement covering a portion of state submerged lands fronting the property identified as Tax Map Key: (1) 4-4-016:016, Kaneohe, Koolaupoko, Oahu, for the existing pier, house, rock wall, and landscape area, and for use, repair, and maintenance of the existing improvements constructed thereon pursuant to section 171-53, Hawaii Revised Statutes.

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. 5 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (Wildberger). Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1750-22 Consumer Protection & Commerce on H.R. No. 41**

The purpose of this measure is to request the Hawaii State Energy Office to engage with the United States Department of Energy to establish a permanent

presence within the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Public Utilities Commission; Hawaii Technology Development Corporation; Hawai'i Natural Energy Institute; Natural Energy Laboratory of Hawaii Authority; Hawaiian Electric Company, Inc.; and Hawai'i Gas.

Your Committee finds that the United States Department of Energy has served as a critical partner to the State in achieving its clean energy goals and economic transformation. This measure looks to strengthen this partnership by requesting that the Hawaii State Energy Office engage with the United States Department of Energy to establish a permanent presence within the State, which will accelerate the leadership and transformation of Hawaii toward a resilient clean energy economy.

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. 41 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Har, Hashem).

#### **SCRep. 1751-22 Consumer Protection & Commerce on H.C.R. No. 46**

The purpose of this measure is to request the Hawaii State Energy Office to engage with the United States Department of Energy to establish a permanent presence within the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Hawaii State Energy Office; Public Utilities Commission; Hawaii Technology Development Corporation; Hawai'i Natural Energy Institute; Natural Energy Laboratory of Hawaii Authority; Hawaii Green Infrastructure Authority; Hawaiian Electric Company, Inc.; and Hawai'i Gas.

Your Committee finds that the United States Department of Energy has served as a critical partner to the State in achieving its clean energy goals and economic transformation. This measure looks to strengthen this partnership by requesting that the Hawaii State Energy Office engage with the United States Department of Energy to establish a permanent presence within the State, which will accelerate the leadership and transformation of Hawaii toward a resilient clean energy economy.

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. 46 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Aquino, Har, Hashem).

#### **SCRep. 1752-22 Consumer Protection & Commerce on H.R. No. 42**

The purpose of this measure is to request that the Hawaii State Energy Office convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes and rules or other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaiian Electric Company, Hawaii Automobile Dealers' Association, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, and four individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that the transportation sector represents the largest contributor to carbon emissions in the State. Your Committee further finds that while the adoption of electric vehicles by consumers continues to grow, the limited electric vehicle infrastructure, especially in multi-unit dwellings, is a major barrier to the adoption of electric vehicles. A coordinated effort is needed amongst a wide range of stakeholders to continue meaningful progress on clean transportation. This measure establishes a working group, which will provide the Legislature with the necessary information to make an informed policy decision for furthering the development of electric vehicle infrastructure in multi-unit dwellings.

Your Committee has amended this measure by:

- (1) Requesting the representative of the Hawaii State Energy Office convene the working group and serve as its chairperson or designate another member of the working group to serve as chairperson if mutually agreed upon by the members;
- (2) Requesting the working group to submit a report of its findings and recommendations to the Legislature;
- (3) Removing the President of the Senate and Speaker of the House of Representatives from 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 42, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 42, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1753-22 Consumer Protection & Commerce on H.C.R. No. 47**

The purpose of this measure is to request that the Hawaii State Energy Office convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes and rules or other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Hawaiian Electric Company, Ulupono Initiative, Climate Protectors Hawai'i, Hawaii Automobile Dealers' Association, Tesla, Alliance for Automotive Innovation, Big Island Electric Vehicle Association, Hawaii Electric Vehicle Association, and five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and NAIOP Hawaii.

Your Committee finds that the transportation sector represents the largest contributor to carbon emissions in the State. Your Committee further finds that while the adoption of electric vehicles by consumers continues to grow, the limited electric vehicle infrastructure, especially in multi-unit dwellings, is a major barrier to the adoption of electric vehicles. A coordinated effort is needed amongst a wide range of stakeholders to continue meaningful progress on clean transportation. This measure establishes a working group, which will provide the Legislature with the necessary information to make an informed policy

decision for furthering the development of electric vehicle infrastructure in multi-unit dwellings.

Your Committee has amended this measure by:

- (1) Requesting the representative of the Hawaii State Energy Office convene the working group and serve as its chairperson or designate another member of the working group to serve as chairperson if mutually agreed upon by the members;
- (2) Requesting the working group to submit a report of its findings and recommendations to the Legislature;
- (3) Removing the President of the Senate and Speaker of the House of Representatives from 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 47, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 47, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1754-22 Consumer Protection & Commerce on H.R. No. 60**

The purpose of this measure is to request the Insurance Commissioner to establish a Telehealth and Telephonic Services Working Group to address the complexities surrounding the appropriate use of telehealth and telephonic services, by specialty care area, and coverage of these services by health insurance.

Your Committee received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, Hawaii Medical Service Association, Healthcare Association of Hawaii, Hawaii Association of Health Plans, and Hawaii Psychiatric Medical Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that health care providers in Hawaii increasingly rely on real-time audio and visual telehealth visits and other modalities of care delivery to increase access to health care in the State. Your Committee further finds that there is a need to remedy digital health disparities for individuals who lack access to the audio-visual technology needed for telehealth visits. However, there are remaining questions about how to best use and provide telehealth and other remote forms of care. This measure therefore establishes a working group to further discuss health care technology disparities and identify the appropriate use of audio-only telephonic services.

Your Committee has amended this measure by:

- (1) Amending the composition of the Telehealth and Telephonic Services Working Group by:
  - (A) Requesting the Chairs of the House of Representatives Committee on Health, Human Services, & Homelessness and Senate Committee on Health, or their designees, to convene the Working Group and serve as its co-chairs, rather than the Insurance Commissioner;
  - (B) Specifying that the representative from the Department of Health is to be the Director of Health, or the Director's designee; and
  - (C) Permitting the co-chairs to invite other individuals to be members of the Working Group;
- (2) Amending its title in accordance with its amended purpose; 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. 60, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 60, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1755-22 Consumer Protection & Commerce on H.C.R. No. 66**

The purpose of this measure is to request the Insurance Commissioner to establish a Telehealth and Telephonic Services Working Group to address the complexities surrounding the appropriate use of telehealth and telephonic services, by specialty care area, and coverage of these services by health insurance.

Your Committee received testimony in support of this measure from the Department of Human Services, Disability and Communication Access Board, Hawaii Medical Service Association, Healthcare Association of Hawaii, Hawaii Association of Health Plans, Hawaii Psychiatric Medical Association, and The Queen's Health Systems. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that health care providers in Hawaii increasingly rely on real-time audio and visual telehealth visits and other modalities of care delivery to increase access to health care in the State. Your Committee further finds that there is a need to remedy digital health disparities for individuals who lack access to the audio-visual technology needed for telehealth visits. However, there are remaining questions about how to best use and provide telehealth and other remote forms of care. This measure therefore establishes a working group to further discuss health care technology disparities and identify the appropriate use of audio-only telephonic services.

Your Committee has amended this measure by:

- (1) Amending the composition of the Telehealth and Telephonic Services Working Group by:
  - (A) Requesting the Chairs of the House of Representatives Committee on Health, Human Services, & Homelessness and Senate Committee on Health, or their designees, to convene the Working Group and serve as its co-chairs, rather than the Insurance Commissioner;
  - (B) Specifying that the representative from the Department of Health is to be the Director of Health, or the Director's designee; and
  - (C) Permitting the co-chairs to invite other individuals to be members of the Working Group;
- (2) Amending its title in accordance with its amended purpose; 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. 66, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 66, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1756-22 Consumer Protection & Commerce on H.R. No. 62**

The purpose of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your Committee received testimony in support of this measure from the Early Learning Board, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, and seven individuals.

Your Committee finds that high quality early care and education have a variety of positive outcomes for children, including ameliorating the effects of poverty, detecting and remediating developmental delays, identifying signs of child neglect and preventing further neglect, and better preparing children for school, which all contribute to increasing their likelihood of success in life. This measure highlights the critical role of child care providers by designating the month of September 2022 as Child Care Provider Appreciation Month.

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. 62 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1757-22 Consumer Protection & Commerce on H.C.R. No. 69**

The purpose of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your Committee received testimony in support of this measure from the Early Learning Board, Hawai'i Children's Action Network Speaks!, Early Childhood Action Strategy, Hawaii Association of School Psychologists, and six individuals.

Your Committee finds that high quality early care and education have a variety of positive outcomes for children, including ameliorating the effects of poverty, detecting and remediating developmental delays, identifying signs of child neglect and preventing further neglect, and better preparing children for school, which all contribute to increasing their likelihood of success in life. This measure highlights the critical role of child care providers by designating the month of September 2022 as Child Care Provider Appreciation Month.

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. 69 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1758-22 Consumer Protection & Commerce on H.R. No. 48**

The purpose of this measure is to request that the Department of Education establish programs and educational opportunities to increase media literacy and promote digital citizenship.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that media literacy encompasses the ability to analyze, evaluate, access, and create media. Digital citizenship encompasses media literacy and matters of online safety and responsibility. Your Committee further finds that the coronavirus disease 2019 pandemic's impact on shifting education toward digital learning has increased the importance of media literacy and digital citizenship. This measure promotes the incorporation of instruction on media literacy and digital citizenship within public schools, which will help prepare public school students to live and work in a digital world.

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. 48 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1759-22 Consumer Protection & Commerce on H.C.R. No. 53**

The purpose of this measure is to request that the Department of Education establish programs and educational opportunities to increase media literacy and promote digital citizenship.

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

Your Committee finds that media literacy encompasses the ability to analyze, evaluate, access, and create media. Digital citizenship encompasses media literacy and matters of online safety and responsibility. Your Committee further finds that the coronavirus disease 2019 pandemic's impact on shifting education toward digital learning has increased the importance of media literacy and digital citizenship. This measure promotes the incorporation of instruction on media literacy and digital citizenship within public schools, which will help prepare public school students to live and work in a digital world.

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. 53 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1760-22 Consumer Protection & Commerce on H.R. No. 115**

The purpose of this measure is to request the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and Hawaii Technology Development Corporation to extend the Digital Currency Innovation Lab pilot project.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation are conducting a two-year pilot project, the Digital Currency Innovation Lab, to study digital currency transactions. The pilot project consists of fifteen digital currency companies serving over one hundred thirty-four thousand digital currency consumers who have collectively completed more than \$896,000,000 in transactions as of the fourth quarter of 2021. The Digital Currency Innovation Lab, which is scheduled to expire on June 30, 2022, has



been successful in providing the State with more insight into the increasing relevance of digital currency.

Your Committee further finds that the participating companies have expressed unanimous support for a clear regulatory structure. The participating companies have also expressed the need for clear and consistent regulatory guidelines for companies to conduct business in the State following the end of the pilot project. However, no law has been enacted to exempt digital currency companies from the Money Transmitters Modernization Act or regulate digital currency companies. This measure requests that the Digital Currency Innovation Lab continue for another two years or until a law is enacted to regulate digital currency companies.

Your Committee notes that your Committee's preference is to establish a comprehensive regulatory framework for the regulation of digital currency companies. However, in the event that the Legislature does not pass such a framework, your Committee believes that the Digital Currency Innovation Lab pilot project should continue as requested by this measure.

Your Committee has amended this measure by:

- (1) Including the most recent statistics for the Digital Currency Innovation Lab pilot project;
- (2) Clarifying that the extension of the Digital Currency Innovation Lab pilot project is requested only if the Legislature:
  - (A) Takes no action to exempt digital currency companies from the money transmitter licensing requirements; or
  - (B) Does not pass a measure establishing a comprehensive regulatory scheme for digital currency companies;
- (3) Changing the requested extension of the pilot project to a date certain of June 30, 2024, rather than requesting the extension be for another two years;
- (4) Amending its title in accordance with its amended purpose; 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 H.R. No. 115, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 115, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1761-22 Consumer Protection & Commerce on H.C.R. No. 115**

The purpose of this measure is to request the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and Hawaii Technology Development Corporation to extend the Digital Currency Innovation Lab pilot project.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Grassroot Institute of Hawaii.

Your Committee finds that the Division of Financial Institutions of the Department of Commerce and Consumer Affairs and the Hawaii Technology Development Corporation are conducting a two-year pilot project, the Digital Currency Innovation Lab, to study digital currency transactions. The pilot project consists of fifteen digital currency companies serving over one hundred thirty-four thousand digital currency consumers who have collectively completed more than \$896,000,000 in transactions as of the fourth quarter of 2021. The Digital Currency Innovation Lab, which is scheduled to expire on June 30, 2022, has been successful in providing the State with more insight into the increasing relevance of digital currency.

Your Committee further finds that the participating companies have expressed unanimous support for a clear regulatory structure. The participating companies have also expressed the need for clear and consistent regulatory guidelines for companies to conduct business in the State following the end of the pilot project. However, no law has been enacted to exempt digital currency companies from the Money Transmitters Modernization Act or regulate digital currency companies. This measure requests that the Digital Currency Innovation Lab continue for another two years or until a law is enacted to regulate digital currency companies.

Your Committee notes that your Committee's preference is to establish a comprehensive regulatory framework for the regulation of digital currency companies. However, in the event that the Legislature does not pass such a framework, your Committee believes that the Digital Currency Innovation Lab pilot project should continue as requested by this measure.

Your Committee has amended this measure by:

- (1) Including the most recent statistics for the Digital Currency Innovation Lab pilot project;
- (2) Clarifying that the extension of the Digital Currency Innovation Lab pilot project is requested only if the Legislature:
  - (A) Takes no action to exempt digital currency companies from the money transmitter licensing requirements; or
  - (B) Does not pass a measure establishing a comprehensive regulatory scheme for digital currency companies;
- (3) Changing the requested extension of the pilot project to a date certain of June 30, 2024, rather than requesting the extension be for another two years;
- (4) Amending its title in accordance with its amended purpose; 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 H.C.R. No. 115, H.D. 1, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 115, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1762-22 Consumer Protection & Commerce on H.R. No. 2**

The purpose of this measure is to request the United States Navy to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, store its fuel in a manner compliant with the law, establish a new water treatment facility, pay for all costs to the State, and comply with all future remediation efforts.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Office of Hawaiian Affairs, Honolulu Board of Water Supply, Livable Hawaii Kai Hui, and 350Hawaii.org.

Your Committee finds that the Red Hill Bulk Fuel Storage Facility, which was constructed during World War II and began operation in 1943, consists of twenty steel lined tanks, encased in concrete, and built into cavities that were mined inside of Red Hill. Each tank measures one hundred feet in diameter and two hundred fifty feet in height and has a storage capacity of approximately 12,500,000 gallons. The tanks are connected to three pipelines that run two and a half miles through a tunnel to fueling piers at Pearl Harbor.

Your Committee further finds that the Red Hill Bulk Fuel Storage Facility sits approximately one hundred feet above the Southern Oahu Basal Aquifer, Oahu's federally designated sole-source groundwater aquifer. The Southern Oahu Basal Aquifer is used as the principal source of drinking water by the Honolulu Board of Water Supply and the Navy, with seventy-seven percent of the total island-wide water supply being sourced from the Southern Oahu Basal Aquifer.

Your Committee also finds that there have been numerous reported fuel releases from the Red Hill Bulk Fuel Storage Facility over the past eighty years. Specifically, there have been at least seventy-six incidents of fuel releases involving nearly two hundred thousand gallons of fuel.

On November 20, 2021, one of the most recent releases of fuel occurred as fourteen thousand gallons of a mixture of fuel and water was released from the Red Hill Bulk Fuel Storage Facility's fire-suppression system. On November 28, 2021, military families and civilians living in the Joint Base Pearl Harbor-Hickam military housing installation began reporting contaminated tap water. Impacted families shared personal experiences of the immediate and ongoing health impacts of exposure to the contaminated water in their homes including chemical burns, stomach and head pain, dizziness and nausea, rashes, and more. This has prompted affected persons to be housed in alternative lodging.

After it was definitively confirmed that the Red Hill Well was contaminated with petroleum, the Department of Health issued an emergency order on December 6, 2021, to the United States Navy to suspend operations and defuel the Red Hill Bulk Fuel Storage Facility. That emergency order was contested by the United States Navy in late December, and on January 3, 2022, it was reaffirmed by the Department of Health in its final decision and order. While the United States Navy has contested these orders, the United States Congress passed the federal Further Additional Extending Government Funding Act, P.L. 117-86, which was signed by President Biden on February 18, 2022. This Act appropriated funds to support the response to the fuel release and conduct activities in compliance with the Department of Health orders.

Your Committee additionally finds that on March 7, 2022, the Pentagon announced that the Red Hill Bulk Fuel Storage Facility would be permanently shut down and the military would transition to a more distributed and dispersed fueling capability. The Secretary of the Navy and Director of the Defense Logistics Agency are set to provide an action plan by May 31, 2022, for the safe and expeditious defueling of the Red Hill Bulk Fuel Storage Facility, with a target completion date of twelve months.

As of March 18, 2022, Department of Health officials have determined that the tap water is safe to drink in all residential areas served by the United States Navy's water system.

Finally, your Committee notes that as of April 6, 2022, three key wells (the Halawa Shaft, Halawa Well, and Aiea Well) remain shut down by the Honolulu Board of Water Supply. This, in combination with recent dry conditions, has prompted the Honolulu Board of Water Supply to urge residents in the Aiea-Halawa and urban Honolulu areas to reduce water usage by ten percent in anticipation of a dry summer season.

Your Committee has amended this measure by:

- (1) Updating the findings to include events that transpired subsequent to the introduction of this measure;
- (2) Clarifying that the United States Department of Defense, Navy, is requested to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, and amending the title accordingly; 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. 2, as amended herein, and recommends its adoption in the form attached hereto as H.R. No. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1763-22 Consumer Protection & Commerce on H.C.R. No. 6**

The purpose of this measure is to request the United States Navy to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, store its fuel in a manner compliant with the law, establish a new water treatment facility, pay for all costs to the State, and comply with all future remediation efforts.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Health, Office of Hawaiian Affairs, Honolulu Board of Water Supply, Livable Hawaii Kai Hui, and 350Hawaii.org.

Your Committee finds that the Red Hill Bulk Fuel Storage Facility, which was constructed during World War II and began operation in 1943, consists of twenty steel lined tanks, encased in concrete, and built into cavities that were mined inside of Red Hill. Each tank measures one hundred feet in diameter and two hundred fifty feet in height and has a storage capacity of approximately 12,500,000 gallons. The tanks are connected to three pipelines that run two and a half miles through a tunnel to fueling piers at Pearl Harbor.

Your Committee further finds that the Red Hill Bulk Fuel Storage Facility sits approximately one hundred feet above the Southern Oahu Basal Aquifer, Oahu's federally designated sole-source groundwater aquifer. The Southern Oahu Basal Aquifer is used as the principal source of drinking water by the Honolulu Board of Water Supply and the Navy, with seventy-seven percent of the total island-wide water supply being sourced from the Southern Oahu Basal Aquifer.

Your Committee also finds that there have been numerous reported fuel releases from the Red Hill Bulk Fuel Storage Facility over the past eighty years. Specifically, there have been at least seventy-six incidents of fuel releases involving nearly two hundred thousand gallons of fuel.

On November 20, 2021, one of the most recent releases of fuel occurred as fourteen thousand gallons of a mixture of fuel and water was released from the Red Hill Bulk Fuel Storage Facility's fire-suppression system. On November 28, 2021, military families and civilians living in the Joint Base Pearl Harbor-Hickam military housing installation began reporting contaminated tap water. Impacted families shared personal experiences of the immediate and ongoing health impacts of exposure to the contaminated water in their homes including chemical burns, stomach and head pain, dizziness and nausea, rashes, and more. This has prompted affected persons to be housed in alternative lodging.

After it was definitively confirmed that the Red Hill Well was contaminated with petroleum, the Department of Health issued an emergency order on December 6, 2021, to the United States Navy to suspend operations and defuel the Red Hill Bulk Fuel Storage Facility. That emergency order was contested by the United States Navy in late December, and on January 3, 2022, it was reaffirmed by the Department of Health in its final decision and order. While the United States Navy has contested these orders, the United States Congress passed the federal Further Additional Extending Government Funding Act, P.L. 117-86, which was signed by President Biden on February 18, 2022. This Act appropriated funds to support the response to the fuel release and conduct

activities in compliance with the Department of Health orders.

Your Committee additionally finds that on March 7, 2022, the Pentagon announced that the Red Hill Bulk Fuel Storage Facility would be permanently shut down and the military would transition to a more distributed and dispersed fueling capability. The Secretary of the Navy and Director of the Defense Logistics Agency are set to provide an action plan by May 31, 2022, for the safe and expeditious defueling of the Red Hill Bulk Fuel Storage Facility, with a target completion date of twelve months.

As of March 18, 2022, Department of Health officials have determined that the tap water is safe to drink in all residential areas served by the United States Navy's water system.

Finally, your Committee notes that as of April 6, 2022, three key wells (the Halawa Shaft, Halawa Well, and Aiea Well) remain shut down by the Honolulu Board of Water Supply. This, in combination with recent dry conditions, has prompted the Honolulu Board of Water Supply to urge residents in the Aiea-Halawa and urban Honolulu areas to reduce water usage by ten percent in anticipation of a dry summer season.

Your Committee has amended this measure by:

- (1) Updating the findings to include events that transpired subsequent to the introduction of this measure;
- (2) Clarifying that the United States Department of Defense, Navy, is requested to prepare a plan to decommission the Red Hill Bulk Fuel Storage Facility, and amending the title accordingly; 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. 6, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 6, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1764-22 Consumer Protection & Commerce on H.C.R. No. 33**

The purpose of this measure is to request the Auditor to conduct a social and financial assessment of proposed mandatory health insurance coverage for early access breast cancer screening.

Your Committee received testimony in support of this measure from the Hawaii Society of Clinical Oncology, Hawaii Medical Association, Hawai'i Section of the American College of Obstetricians and Gynecologists, and one individual. Your Committee received comments on this measure from the Department of Health.

Your Committee finds that breast cancer is the most common cancer diagnosed in women in the State. Annually in Hawaii, an average of 1,233 women are diagnosed with invasive breast cancer, 308 women are diagnosed with non-invasive tumors, and 155 women die due to breast cancer. The incidence of breast cancer in the State is higher than the United States overall and statewide rates continue to increase each year.

Your Committee further finds that mandated health insurance coverage for early access breast cancer screening is not generally covered by health insurance and would be considered a new mandated benefit. This measure therefore requests the Auditor to conduct an impact assessment report on the social and financial effects of the mandated health insurance coverage for early access breast cancer screening proposed by Senate Bill No. 827, S.D. 2, Regular Session of 2022.

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. 33 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

#### **SCRep. 1765-22 Consumer Protection & Commerce on H.C.R. No. 28**

The purpose of this measure is to request the Auditor to assess the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

Your Committee received testimony in support of this measure from the Hawaii Society of Clinical Oncology, Association for Clinical Oncology, Kaiser Permanente Hawai'i, and Alliance for Fertility Preservation. Your Committee received comments on this measure from the Office of the Auditor, Hawaii Medical Service Association, and Hawaii Association of Health Plans.

Your Committee finds that for individuals with cancer, the struggles of infertility are heavily exacerbated, as they are forced to sacrifice their ability to conceive and start a family in order to survive their condition. However, due to advances in reproductive technology, cancer need not preclude parenthood. Offering techniques to preserve fertility is now recognized by all relevant medical societies as a standard part of cancer care, but access remains a challenge.

Your Committee further finds that mandated health insurance coverage for fertility preservation procedures is not generally covered by health insurance and would be considered a new mandated benefit. This measure therefore requests the Auditor to conduct an impact assessment report on the social and financial effects of the mandated health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer proposed by House Bill No. 2242 and Senate Bill No. 3308, Regular Session of 2022.

Your Committee has amended this measure by:

- (1) Expanding the contents of the impact assessment report to include:
  - (A) A survey of other states that have implemented mandated health insurance coverage for cryopreservation procedures;
  - (B) Various areas of research, including whether the proposed mandated coverage would trigger the State's defrayal of excess costs, a standard medical definition of reproductive age, and any standards of coverage currently used by public and private health care entities;
  - (C) Various topics for further examination, such as medically necessary standards of care, technology related to infertility procedures, current scientific studies and medical literature, and appropriate scope of coverage; and
  - (D) Consideration of certain questions relating to the ethical and legal issues surrounding the rights and entitlements to cryopreserved material; and
- (2) Making technical, 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. 28, as amended herein, and recommends its adoption in the form attached hereto as H.C.R. No. 28, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1766-22 Finance on S.B. No. 339**

The purpose of this measure is to extend the period during which the important agricultural land qualified agricultural cost tax credit is available through the taxable year ending December 31, 2030.

Your Committee received testimony in support of this measure from the Department of Agriculture; Hawai'i Farm Bureau; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Ulupono Initiative; Carpenter & Carpenter, Inc.; and Kamehameha Schools. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Office of Planning and Sustainable Development, 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. 339, 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. 1767-22 Finance on S.B. No. 2218**

The purpose of this measure is to:

(1) Require the Department of Agriculture to:

- (A) Establish a five-year food hub pilot program that awards grant funding to qualified applicants to establish and expand food hubs in each county; and
- (B) Submit to the Legislature interim progress reports on the food hub pilot program prior to the Regular Sessions of 2023, 2024, 2025, and 2026, and a final report on its findings, recommendations, and any proposed legislation prior to the Regular Session of 2027; and

(2) Appropriate funds for the food hub pilot program and infrastructure upgrades to the Honalo Marshalling Yard to be developed as a food hub.

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; Hawai'i Pacific Health; Hawai'i 'Ulu Producers Cooperative; Aloha Harvest; Center for Getting Things Started; Ka Ohana O Na Pua; Kānalani Ohana Farm; 'Ai Pohaku; Hawai'i 'Ulu Producers Cooperative Board of Directors; Kauai Women's Caucus; The Cozy Cottage Home Bakery LLC; Women Organizing for Change in Agriculture and Natural Resource Management; Hawai'i Farm Bureau; Hawaii Primary Care Association; Punahale Provisions, PBC dba Piko Provisions; Hawai'i Alliance for Progressive Action; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Hawaii Food Industry Association; Ulupono Initiative; Tinyville Farm; Hawaii Food Bank; Kamehameha Schools; Climate Protectors Hawai'i; Hawai'i Farmers Union United; and numerous individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and Hawai'i Food+ Policy Internship.

As affirmed by the record of votes of 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. 2218, 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. 1768-22 Finance on S.B. No. 2990**

The purpose of this measure is to establish and appropriate funds for a cover crop reimbursement pilot program to reimburse qualifying farming operations in the State for acquisition costs for cover crop seeds, green manure, or compost.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; Kauai Women's Caucus; Larry Jefts Farms, LLC; Women Organizing for Change in Agriculture and Natural Resource Management; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Down to Earth; 350Hawaii.org; Climate Protectors Hawai'i; Hawai'i Food+ Policy Internship; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General; Department of Budget and Finance; Department of Agriculture; University of Hawai'i System; Hawaii Cattlemen's Council, Inc.; and Hawai'i Farmers Union United.

As affirmed by the record of votes of 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. 2990, 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. 1769-22 Finance on S.B. No. 2992**

The purpose of this measure is to establish and appropriate funds for the Hawaii Agricultural Investment Program within the Department of Agriculture to provide matching grants for certain activities that increase local agricultural production or processing capacity and support local agricultural producers.

Your Committee received testimony in support of this measure from the Kauai Women's Caucus; Women Organizing for Change in Agriculture and Natural Resource Management; Hawai'i Alliance for Progressive Action; Hawaii Cattlemen's Council, Inc.; Hawaii Food Industry Association; Hawaii Aquaculture and Aquaponics Association; Hawai'i Food+ Policy Internship; Climate Protectors Hawai'i; and numerous individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Budget and Finance, Department of Agriculture, Hawai'i Farm Bureau, 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. 2992, 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. 1770-22 Finance on S.B. No. 915**

The purpose of this measure is to authorize the issuance of special number plates to recognize and honor Duke Kahanamoku.

Your Committee received testimony in support of this measure from the Windclub Hawaii, Outrigger Duke Kahanamoku Foundation, Na Kama Kai, 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 S.B. No. 915, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1771-22 Finance on S.B. No. 2637**

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop and make available a community-based work furlough program for women offenders in the State; and
- (2) Appropriate funds to the Department of Public Safety to continue and expand community-based work furlough for women.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Hawai'i State Commission on the Status of Women, Common Cause Hawaii, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Women's Prison Project, YWCA O'ahu, American Civil Liberties Union of Hawai'i, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Public Safety, and 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. 2637, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1772-22 Finance on S.B. No. 2639**

The purpose of this measure is to require:

- (1) The Offender Reentry Office of the Department of Public Safety to develop and implement a risk needs assessment tool that is specifically intended to assess the needs of women offenders; and
- (2) The Department of Public Safety to submit a report to the Legislature on the Offender Reentry Office's compliance with the risk needs assessment tool requirement.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawai'i Correctional System Oversight Commission, Hawaii Substance Abuse Coalition, Women's Prison Project, 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. 2639, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1773-22 Finance on S.B. No. 2641**

The purpose of this measure is to appropriate funds for residential programs that allow minor children to remain with their mothers while participating in the program, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, to reduce the risk of trauma and multigenerational incarceration.

Your Committee received testimony in support of this measure from the Judiciary, Department of Human Services, Community Alliance on Prisons, Hawaii Substance Abuse Coalition, Women's Prison Project, Hawai'i Psychological Association, American Civil Liberties Union of Hawai'i, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 2641, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1774-22 Finance on S.B. No. 2770**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Office of Hawaiian Affairs, to create a rehabilitation program for Native Hawaiian prison inmates that puts an emphasis on preserving Native Hawaiian values and cultural practices; and
- (2) Appropriate funds for the program.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Correctional System Oversight Commission, Community Alliance on Prisons, Women's Prison Project, and four 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 Budget and Finance, Department of Public Safety, Papa Ola Lōkahi, 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. 2770, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1775-22 Finance on S.B. No. 2771**

The purpose of this measure is to:

- (1) Require the Department of Public Safety Intake Service Centers to conduct internal pretrial female risk and needs assessments on adult female offenders to measure a female offender's risk of flight, criminal conduct, or harm to the community, subject to certain conditions; and
- (2) Require the pretrial female risk and needs assessment tool to consider factors important to evaluate a female offender's risk of reoffending.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Hawai'i Correctional System Oversight Commission, Women's Prison Project, Hawaii Substance Abuse Coalition, and one individual. 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. 2771, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1776-22 Finance on S.B. No. 3085**

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces while not in federal service; and
- (2) Repeal the existing Hawaii Code of Military Justice, which was originally enacted in 1982.

Your Committee received testimony in support of this measure from the Department of Defense 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. 3085, 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, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1777-22 Finance on S.B. No. 3293**

The purpose of this measure is to:

- (1) Establish a five-year Recidivism Prevention Pilot Program within the Judiciary to consist of a housing voucher program and child care voucher program for program participants who exit from the Women's Community Correctional Center and an employer income tax credit program to assist the reentry efforts of certain individuals for up to two years after release from incarceration; and
- (2) Appropriate funds for:
  - (A) The implementation and operation of the Recidivism Prevention Pilot Program; and
  - (B) The establishment of five full-time equivalent permanent transition navigator positions within the Judiciary to provide assistance to individuals exiting the Women's Community Correctional Center in successfully rejoining their families and the community.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition and two individuals. Your Committee received comments on this measure from the Judiciary, Department of Budget and Finance, Department of Public Safety, Department of Taxation, and Women's Prison 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 S.B. No. 3293, 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, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1778-22 Finance on S.B. No. 3294**

The purpose of this measure is to appropriate funds for reentry planning circles for incarcerated women.

Your Committee received testimony in support of this measure from the Hawai'i Correctional System Oversight Commission, Community Alliance on Prisons, Hawai'i Friends of Restorative Justice, Women's Prison Project, Hawaii Substance Abuse Coalition, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 3294, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 1779-22 Finance on S.B. No. 3295**

The purpose of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission to:
  - (A) Provide oversight over state correctional facilities and community correctional centers that incarcerate women;
  - (B) Receive and investigate complaints from incarcerated women;
  - (C) Monitor the criminal justice system's progress in implementing reforms; and
  - (D) Provide oversight over other programs and monitor and review data that is important to ensuring successful outcomes for women in the correctional system;
- (2) Require the Women's Corrections Implementation Commission to submit annual reports to the Legislature; and
- (3) Appropriate funds to the Judiciary for the operations of the Women's Corrections Implementation Commission, including the hiring of necessary staff.

Your Committee received testimony in support of this measure from the Women's Prison Project and one individual. Your Committee received comments

on this measure from the Judiciary, Department of Budget and Finance, Department of Public Safety, and Hawai'i Correctional System Oversight 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. 3295, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

#### **SCRep. 1780-22 Finance on S.B. No. 1105**

The purpose of this measure is to amend the Secure and Fair Enforcement for Mortgage Licensing Act by:

- (1) Modifying when a person aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator company licensee may be paid by the Mortgage Loan Recovery Fund to be upon final judgment, rather than by order, of a court;
- (2) Repealing Mortgage Loan Recovery Fund fees for mortgage loan originator companies and their branch locations; and
- (3) Authorizing the Commissioner of Financial Institutions to consider applications for recovery from the Mortgage Loan Recovery Fund, as an alternative to judicial proceedings.

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. 1105, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

#### **SCRep. 1781-22 Finance on S.B. No. 3329**

The purpose of this measure is to repeal chapter 634F, Hawaii Revised Statutes, the Citizen Participation in Government Act, and enact the Hawaii Public Expression Protection Act in its place.

Your Committee received testimony in support of this measure from Common Cause Hawaii, Sierra Club of Hawai'i, Kua'āina Ulu 'Auamo, League of Women Voters of Hawaii, Uniform Law Commission, Commission to Promote Uniform Laws, Hawai'i Reef and Ocean Coalition, Climate Protector Hawai'i, UNITE HERE! Local 5 Hawaii, Motion Picture Association, Hawaii's Thousand Friends, American Civil Liberties Union of Hawai'i, Mālama Pūpūkea-Waimea, 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. 3329, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

#### **SCRep. 1782-22 Finance on S.B. No. 3372**

The purpose of this measure is to authorize the Office of Administrative Hearings, where it is determined that an award of a contract is in violation of law and the award is rescinded and the contract, if executed, is terminated or declared null and void, to award the government contract to the next lowest bidder or next responsible offeror, if certain conditions are met.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services. Your Committee received comments on this measure from the 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 S.B. No. 3372, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

#### **SCRep. 1783-22 Finance on S.B. No. 3236**

The purpose of this measure is to appropriate funds to provide a one-time enhanced payment equal to fifteen percent of the Medicaid patient payments of fiscal year 2022-2023 made to any eligible facility in the State that provides care to Medicaid patients in a Medicare-certified nursing facility, community care foster family home, and expanded adult residential care home.

Your Committee received testimony in support of this measure from the Hawaii Health Systems Corporation Corporate Board of Directors; Hawai'i Family Caregiver Coalition; Hawai'i Pacific Health; Ohana Pacific Management Company, Inc. dba Ohana Pacific Health; Ann Pearl Rehab & Nursing; Garden Isle Rehab & Nursing; The Villas; Legacy Hilo Rehab & Nursing; Hale Makua Health Services - Kahului; Hale Makua Health Services - Wailuku; The Queen's Health Systems; Hale Kupuna Heritage Home; Pu'uwai 'O Makaha; Aloha Nursing Rehab Centre; Kaiser Permanente Hawai'i; and four individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Healthcare 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. 3236, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

#### **SCRep. 1784-22 Finance on S.B. No. 204**

The purpose of this measure is to authorize the Department of Land and Natural Resources to use aquatic in-lieu fee mitigation to restore, create, enhance, or preserve aquatic habitats or resources where a person is required to provide compensatory mitigation either:

- (1) Prospectively, and the use of in-lieu fee mitigation is approved by the agency requiring mitigation; or
- (2) For past damages to aquatic habitats or resources.

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 S.B. No. 204, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13; Ayes with Reservations (Wildberger). Noes, none. Excused, 2 (Eli, McDermott).

**SCRep. 1785-22 Finance on S.B. No. 1411**

The purpose of this measure is to:

- (1) Define "pre-contact historic property";
- (2) Clarify that the Historic Preservation Program includes providing consultation to counties and public and private agencies involved in historic preservation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board; and
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements and make landowners or developers responsible for projects where violations are found liable for costs associated with mitigation or preservation measures.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Kupuna Caucus of the Democratic Party of Hawai'i, and two individuals. Your Committee received testimony in opposition to this measure from the Society for Hawaiian Archaeology. 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. 1411, 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, McDermott).

**SCRep. 1786-22 Finance on S.B. No. 2056**

The purpose of this measure is to:

- (1) Require the Office of Planning and Sustainable Development, in cooperation with the Department of Agriculture and Land Use Commission, to conduct a study of the suitability of the land study bureau soil overall (master) productivity rating system and other soil classification systems in the regulation of agricultural lands in the State;
- (2) Require the Office of Planning and Sustainable Development to submit a report on the study to the Legislature prior to the Regular Session of 2024; and
- (3) Appropriate funds to conduct the study.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii State Energy Office, Hawai'i Farm Bureau, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Planning and Sustainable Development, and Hawai'i Farmers Union United.

As affirmed by the record of votes of 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. 2056, 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, McDermott).

**SCRep. 1787-22 Finance on S.B. No. 3320**

The purpose of this measure is to:

- (1) Explicitly include feral pigs within the Department of Land and Natural Resources' permit system for the destruction within a district of wild birds, game birds, and game mammals; and
- (2) Clarify that the Department of Land and Natural Resources may provide by rule that no permit or report shall be required to destroy or control game mammals, including feral pigs, during daytime hours on privately owned land when the action is otherwise in compliance with departmental rules.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Farm Bureau, and Ulupono Initiative. Your Committee received testimony in opposition to 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. 3320, 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, McDermott).

**SCRep. 1788-22 Finance on S.B. No. 1128**

The purpose of this measure is to:

- (1) Allow certain vocational programs within the Office of Youth Services to engage in the commercial provision of goods and services to promote self-sustainability in young adults;
- (2) Require the Office of Youth Services to submit annual reports to the Legislature on the fiscal transactions and expenses of each service or program of the Office of Youth Services; and
- (3) Require an audit of the Office of Youth Services if the annual fiscal transactions and expenses reports are not submitted in a timely manner.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs; Hawaii Youth Correctional Facility; Hale Kipa, Inc.; Opportunity Youth Action Hui; Community Alliance on Prisons; Hawaii Cattlemen's Council, Inc.; American Civil Liberties Union of Hawai'i; and one individual. Your Committee received comments on this measure from the Department of Human Services and Office of Youth 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. 1128, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1789-22 Finance on S.B. No. 2115**

The purpose of this measure is to:

- (1) Require certain children under Family Court jurisdiction to be taken without unnecessary delay to the court or place of shelter designated by the court; and
- (2) Establish conditions and time limits for placing a minor into room confinement at a juvenile detention facility or adult jail facility.

Your Committee received testimony in support of this measure from the Judiciary, Department of Health, Office of Youth Services, Hawai'i Psychological Association, American Civil Liberties Union of Hawai'i, Opportunity Youth Action Hui, 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. 2115, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1790-22 Finance on S.B. No. 2274**

The purpose of this measure is to:

- (1) Require all nursing license applicants to respond to the Center for Nursing workforce supply survey in conjunction with license renewal, without penalizing them for failure to do so; and
- (2) Increase the additional Center for Nursing fee from \$40 to \$60 per licensing biennium.

Your Committee received testimony in support of this measure from the Hawai'i-American Nurses Association, The Queen's Health Systems, and three individuals. Your Committee received comments on this measure from the University of Hawai'i at Manoa Nancy Atmospera-Walch School of Nursing, Board of Nursing, Hawai'i State Center for Nursing, and Hawaii Association of Nurse Anesthetists.

As affirmed by the record of votes of 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. 2274, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1791-22 Finance on S.B. No. 2482**

The purpose of this measure is to establish and fund a temporary Office of Wellness and Resilience within the Office of the Governor to address issues and implement solutions to improve wellness and resilience, including issues and solutions identified by the Trauma-Informed Care Task Force.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Public Safety, Hawai'i Correctional System Oversight Commission, Executive Office on Early Learning, Promising Minds, Hawaii Youth Services Network, HawaiiKidsCan, Early Childhood Action Strategy, Mana Up, National Association of Social Workers - Hawai'i, Parents And Children Together, and six individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, Early Learning Board, Family Hui Hawai'i, Hawaii Children's Action Network Speaks!, Hawai'i Community Foundation, 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 S.B. No. 2482, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1792-22 Finance on S.B. No. 2634**

The purpose of this measure is to appropriate funds to extend Medicaid postpartum coverage to twelve months following the end of pregnancy.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women; Disability and Communication Access Board; March of Dimes; Hawaii Family Forum; Hawai'i Children's Action Network Speaks!; American Heart Association; American Academy of Pediatrics, Hawaii Chapter; Planned Parenthood Alliance Advocates - Hawai'i; Healthcare Association of Hawaii; Hawaii Medical Service Association; Hawaii Association of Health Plans; UnitedHealthcare Community Plan Hawaii; Hawaii Women's Coalition; AlohaCare; Hawai'i Pacific Health; Hawaii Medical Association; Hawai'i Section of the American College of Obstetricians and Gynecologists; Hawai'i Maternal & Infant Health Collaborative; Hawaii Chapter of American College of Emergency Physicians; The Queen's Health Systems; Hawai'i Public Health Association; Save Medicaid Hawaii; Healthy Mothers Health Babies Coalition of Hawaii; 'Ahaui o nā Kauka; Obesity Prevention Task Force; Breastfeeding Hawaii; Early Childhood Action Strategy; AF3IRM Hawaii; and eleven individuals.

Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, and Hawai'i Primary Care 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. 2634, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1793-22 Finance on S.B. No. 2657**

The purpose of this measure is to:

- (1) Reestablish the Hawaii Medical Education Special Fund to enable the John A. Burns School of Medicine (JABSOM), in consultation with the Hawaii Medical Education Council, to provide funding for medical education and training in Hawaii, with an emphasis on supporting residency training in

medically underserved areas;

- (2) Appropriate funds to create more residencies and training opportunities in medically underserved areas for medical students at JABSOM; and
- (3) Appropriate funds to JABSOM to create further medical residency and training opportunities through a partnership between JABSOM and the United States Department of Veterans Affairs.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine, Hawaii Health Systems Corporation Corporate Board of Directors, Healthcare Association of Hawaii, Hawai'i Primary Care Association, Hawai'i Pacific Health, Hawaii Medical Association, Hawai'i Chapter of the American College of Emergency Physicians, The Queen's Health Systems, and Hawaii Psychiatric Medical Association. 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. 2657, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1794-22 Finance on S.B. No. 2857**

The purpose of this measure is to establish a five-year Child Wellness Incentive Pilot Program to provide a monetary incentive to each state Medicaid benefit recipient for each completed well-child examination of that recipient's child and to appropriate funds for the first year of the program.

Your Committee received testimony in support of this measure from the American Academy of Pediatrics, Hawaii Chapter; Hawaii Medical Service Association; and Hawaii Association of Health Plans. Your Committee received testimony in opposition to this measure from the Hawaii Family Advocacy Team. Your Committee received comments on this measure from the Department of Human Services and 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. 2857, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1795-22 Finance on S.B. No. 2883**

The purpose of this measure is to:

- (1) Require the Hawaii Health Systems Corporation to convene a task force to facilitate improved hiring and training of culturally-accepted interpreters to assist non-English speaking populations seeking care at health care facilities; and
- (2) Appropriate funds to support the work of the task force.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Pono Hawai'i Initiative, Hawai'i Coalition for Immigrant Rights, Hawai'i Friends of Civil Rights, Hawai'i Public Health Institute, Hawaii State Coalition Against Domestic Violence, COFA Alliance National Network, Waipahu Safe Haven Center, and seven individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Language Access, and Hawaii Health Systems Corporation Corporate Board of Directors.

As affirmed by the record of votes of 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. 2883, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1796-22 Finance on S.B. No. 3106**

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

Your Committee received testimony in support of this measure from Parents and Children Together. Your Committee received testimony in opposition to this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and one individual. Your Committee 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. 3106, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1797-22 Finance on S.B. No. 3111**

The purpose of this measure is to establish and fund a family resource centers pilot program and coordinator position within the Department of Human Services.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of Health, Office of Hawaiian Affairs, 'Ohana Support Network, Hawai'i Afterschool Alliance, Friends of the Future, Kailua High School, Early Childhood Action Strategy, Community Alliance on Prisons, Hawaii Children's Action Network Speaks!, and two individuals. 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. 3111, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1798-22 Finance on S.B. No. 3124**

The purpose of this measure is to make an emergency appropriation to the Department of Health for response and enforcement activities of the Department of Health relating to the petroleum leaks at the Red Hill Bulk Fuel Storage Facility.

Your Committee received testimony in support of this measure from the Department of Health and Honolulu Board of Water Supply. 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. 3124, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1799-22 Finance on S.B. No. 3248**

The purpose of this measure is to appropriate funds to the Department of Health to purchase one advanced life support ambulance and related equipment, to be based on the island of Molokai, and pay related personnel costs for one state-certified emergency medical technician and one state-certified paramedic.

Your Committee received testimony in support of this measure from one member of the Maui County Council; American Medical Response; Maui County Paramedics Association; Hana Health; Molokai Ohana Health Care, Inc., dba Molokai Community Health Center; The Queen's Health Systems; and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance 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. 3248, S.D. 1, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1800-22 Finance on S.B. No. 2142**

The purpose of this measure is to:

- (1) Allow Department of Education students to fulfill high school diploma requirements by taking world language, fine arts, career and technical education, or computer science credits;
- (2) Establish a Computer Science in Teaching Scholarship Program at the University of Hawaii to encourage students earning an education degree to take a computer science course;
- (3) Require the University of Hawaii to establish computer science pathways for students earning an education degree;
- (4) Require programs leading to teacher licensing and certification to include certain computer science instruction; and
- (5) Appropriate funds for the University of Hawaii Computer Science in Teaching Scholarship Program.

Your Committee received testimony in support of this measure from HawaiiKidsCAN, Oceanit, Code.org, Hawai'i Society for Technology in Education, Broadband Hui, Maui Chamber of Commerce, and seven individuals. 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 the University of Hawai'i College of Education, Department of Budget and Finance, Department of Education, 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 S.B. No. 2142, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (B. Kobayashi, Sayama). Noes, 1 (Perruso). Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1801-22 Finance on S.B. No. 3280**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Saint Joseph School in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving educational facilities.

Your Committee received testimony in support of this measure from The Cardinal Legacy Foundation. 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. 3280, 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, 1 (Perruso). Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1802-22 Finance on S.B. No. 2597**

The purpose of this measure is to appropriate funds for the Hawaii State Loan Repayment Program administered through the John A. Burns School of Medicine, subject to a matching funds requirement.

Your Committee received testimony in support of this measure from the Department of Health, John A. Burns School of Medicine at the University of Hawai'i at Manoa, Healthcare Association of Hawaii, Hawai'i Primary Care Association, Hawai'i State Rural Health Association, Hawai'i Pacific Health, Hawaii Medical Association, Hawai'i Chapter of the American College of Emergency Physicians, The Queen's Health Systems, and Hawaii Psychiatric Medical Association. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Labor and Industrial Relations, and Hawai'i State Center for Nursing.

As affirmed by the record of votes of 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. 2597, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1803-22 Finance on S.B. No. 2635**

The purpose of this measure is to require health insurers, mutual benefit societies, and health maintenance organizations to cover mandated services for mammography at least as favorably as coverage for other radiological examinations.

Your Committee received testimony in support of this measure from the Department of Health, Hawaii Medical Association, Save Medicaid Hawaii, and

four individuals. 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. 2635, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1804-22 Finance on S.B. No. 2700**

The purpose of this measure is to:

- (1) Authorize the Department of Human Services to establish and maintain an early childhood registry of early childhood provider and staff information;
- (2) Require all staff used to meet the staff-child ratio in all licensed and registered child care programs to annually update their information in the registry;
- (3) Require a report to the Legislature regarding updates to the registry before the convening of the Regular Session of 2024; and
- (4) Appropriate funds to improve the registry.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, American Association of University Women of Hawaii, Imua Family Services, Early Childhood Action Strategy, Save Medicaid Hawaii, Hawai'i Association for the Education of Young Children, and numerous individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Executive Office on Early Learning, Early Learning Board, and Hawai'i Children's Action Network Speaks!.

As affirmed by the record of votes of 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. 2700, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1805-22 Finance on S.B. No. 2701**

The purpose of this measure is to:

- (1) Require the Department of Human Services to establish and implement a one-year Child Care Worker Subsidy Pilot Program to assist in retaining the existing child care workforce; and
- (2) Appropriate funds for the pilot program and the Hawaii Early Childhood Educator Stipend Program.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning; Hawai'i State Commission on the Status of Women; Early Learning Board; American Association of University Women of Hawaii; American Academy of Pediatrics, Hawaii Chapter; Early Childhood Action Strategy; Save Medicaid Hawaii; Hawai'i Association for the Education of Young Children; Hawai'i Children's Action Network Speaks!; Imua Family Services; and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 2701, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1806-22 Finance on S.B. No. 3110**

The purpose of this measure is to:

- (1) Rename the Preschool Grant Program Special Fund as the Child Care Grant Program Special Fund;
- (2) Authorize the Child Care Grant Program Special Fund to be used to award grants for child care facilities;
- (3) Change the due date for submitting the annual report to the Legislature on the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund; and
- (4) Remove the authority to expend funds from the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund without an appropriation.

Your Committee received testimony in support of this measure from the Executive Office on Early Learning and Early Childhood Action Strategy. 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. 3110, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1807-22 Finance on S.B. No. 346**

The purpose of this measure is to:

- (1) Between January 1, 2028, and June 30, 2032, make it unlawful for a farm owner or operator or a business owner or operator to sell or offer for sale for human consumption any shell egg that has not been certified by the United States Department of Agriculture as being cage free, as evidenced by the United States Department of Agriculture certified cage free grademark or shield; and
- (2) Establish and appropriate funds for the temporary Cage Free Matching Grant Program within the Department of Agriculture to provide farm owners or operators and business owners or operators with matching grants to assist them in converting their operations to meet the certified cage free requirements.

Your Committee received testimony in support of this measure from the Hawaiian Humane Society, Animal Outlook, Hawaiian Egg Company, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, Animal Equality, Center for Biological Diversity, The Humane Society of the United States, Hawaiian Airlines, Compassion in World Farming USA, American Society for the

Prevention of Cruelty to Animals, Humane Society International, Friends of the Earth, Down to Earth Organic and Natural, Hawai'i Farm Bureau, Petersons' Upland Farm, World Animal Protection, Farm Sanctuary, The Humane League, Villa Rose, Mercy for Animals, Animal Legal Defense Fund, and Humane Society Veterinary Medical 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. 346, 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. 1808-22 Finance on S.B. No. 2195**

The purpose of this measure is to establish and appropriate funds for a five-year feral chicken population management pilot program within the Department of Agriculture to manage the population of feral chickens in the State.

Your Committee received testimony in support of this measure from Mo'Bettah Handyman Services, Makor Acupuncture and Oriental Medicine, Julie Peine Trust (Juliana Towers Apartments and Bayview Apartments), and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Agriculture and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, and Hawaiian Humane 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. 2195, 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 (Holt, Perruso, Todd). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1809-22 Finance on S.B. No. 2284**

The purpose of this measure is to:

- (1) Establish provisions relating to the Department of Agriculture's governing of the business of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as necessary to protect indigenous species;
- (4) Require the Department of Agriculture to prepare programmatic environmental impact reports; and
- (5) Appropriate funds to carry out the purposes of this measure.

Your Committee received comments on this measure from the Department of Budget and Finance, Department of Land and Natural Resources, Department of Agriculture, Hawai'i Farm Bureau, and Hawaii Aquaculture & Aquaponics 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. 2284, 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 (Perruso). Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1810-22 Finance on S.B. No. 3096**

The purpose of this measure is to authorize the issuance of general obligation bonds to make an emergency appropriation for the Department of Education to build an agriculture innovation center.

Your Committee received testimony in support of this measure from the Department of Education; Waimea High School; Kekaha Elementary School; Eleele Elementary School; Kalaheo Elementary School; Koloa Elementary School; King Kaumualii Elementary School; Kilauea School; Kamehameha Schools; Kauai Community College; Education Incubator; Iwikua; Kumano i Ke Ala; Hawaii Cattlemen's Council, Inc; Smart Yields; Kauai Women's Caucus; Hawai'i Farm Bureau; and Hawaii Crop Improvement Association. 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 S.B. No. 3096, 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, 1 (Perruso). Excused, 1 (McDermott).

#### **SCRep. 1811-22 Finance on S.B. No. 3197**

The purpose of this measure is to establish and appropriate funds for the Farmer Apprentice Mentoring Program under the Department of Agriculture to support farmer mentors in training apprentices on methods for improving soil health by using the whole farm system approach.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, Climate Protectors Hawai'i, Hawai'i Alliance for Progressive Action, Hawai'i Farm Bureau, Hawai'i Farmers Union United, Local Food Coalition, Kauai Women's Caucus, and fourteen individuals. Your Committee received comments on this measure from the Department of Agriculture and 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. 3197, 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. 1812-22 Finance on S.B. No. 2567**

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 an interactive digital database software program of its applicant, beneficiary, and lessee records, which must contain relevant information on each individual's homestead lease application status, number of applications, address, number of denied leases, designated successors, and history of obtaining leases as an applicant or as a successor, as well as other relevant information as determined by the Hawaiian Homes Commission, by July 1, 2023.

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 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 S.B. No. 2567, 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. 1813-22 Finance on S.B. No. 3205**

The purpose of this measure is to:

- (1) Temporarily re-establish a two-year Hawaii Office of Naval Research Grant Program within the Department of Business, Economic Development, and Tourism to provide fifty-percent matching grants to qualified businesses conducting research and development in alternative energy; and
- (2) Establish and appropriate funds into and out of the Alternative Energy Research and Development Revolving Fund for the Hawaii Office of Naval Research Grant Program.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office; Makai Ocean Engineering, Inc.; Oceanit; and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Hawai'i Technology 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. 3205, 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. 1814-22 Finance on S.B. No. 2303**

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 if the taxpayer files an annual return.

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.

As affirmed by the record of votes of 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. 2303 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1815-22 Finance on S.B. No. 2805**

The purpose of this measure is to:

- (1) Establish the Hawaii Start-Up Business Loan Program and Hawaii Start-Up Business Loan Program Revolving Fund; and
- (2) Appropriate funds for the Hawaii Start-Up Business Loan Program.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii and Hawaii Food Industry Association. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; and Hawai'i Technology 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. 2805, 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. 1816-22 Finance on S.B. No. 3054**

The purpose of this measure is to:

- (1) Expand funding sources and authorized uses of the Hawaii Film and Creative Industries Special Fund; and
- (2) Appropriate funds for the purposes of the Special Fund.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; and 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. 3054, 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. 1817-22 Finance on S.B. No. 3143**

The purpose of this measure is to conform the state income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended, as of December 31, 2021.

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. 3143 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1818-22 Finance on S.B. No. 3201**

The purpose of this measure is to clarify the application of the general excise tax law with regard to gross income derived from unrelated trade or business activities of nonprofit organizations.

Your Committee received testimony in support of this measure from PHOCUSED; Hawaii Substance Abuse Coalition; Coalition for a Drug-Free Hawaii; Hawaiian Humane Society; HT Hayashi Foundation; Outrigger Duke Kahanamoku Foundation; Pacific & Asian Affairs Council; Kumukahi Health + Wellness; Kua'āina Ulu 'Auamo; Big Brothers Big Sisters Hawaii; Hanalei Watershed Hui; Hawai'i Alliance of Nonprofit Organizations; Habilitat, Inc.; Molokai Arts Center; Hawaii Youth Services Network; Hawai'i Pacific Health; Nā Hale O Maui; Hawaii Children's Cancer Foundation; Aloha Diaper Bank; Hawaii Children's Action Network Speaks!; Hawai'i Health & Harm Reduction Center; and six individuals. Your Committee received comments on this measure from the Department of Taxation, 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 S.B. No. 3201, 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. 1819-22 Finance on S.B. No. 3243**

The purpose of this measure is to repeal the definition of "industrial park" and replace that term with the newly defined term "economic zone".

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation and Maui Chamber of Commerce. 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. 3243, 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. 1820-22 Finance on S.B. No. 3334**

The purpose of this measure is to:

- (1) Establish the Director of Business, Economic Development, and Tourism as an ex officio, voting member of the Hawaii Tourism Authority Board of Directors, Stadium Authority, and School Facilities Authority Board;
- (2) Repeal the exemption for the Stadium Development Special Fund from the departmental administrative expenses assessment;
- (3) Transfer the Stadium Authority from the Department of Accounting and General Services to the Department of Business, Economic Development, and Tourism;
- (4) Amend the composition of the Stadium Authority;
- (5) Reduce the amount of general obligation bonds that may be issued to the Stadium Authority for the Stadium Development District; and
- (6) Transfer the School Facilities Authority from the Department of Education to the Department of Business, Economic Development, and Tourism.

Your Committee received testimony in support of this measure from the Hawaii Community Development Authority. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Education; Department of Accounting and General Services; Hawai'i Tourism Authority; Stadium Authority; and School Facilities 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 S.B. No. 3334, 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, 1 (Perruso). Excused, 1 (McDermott).

**SCRep. 1821-22 Finance on S.B. No. 172**

The purpose of this measure is to broaden the class of organizations that may be awarded a grant to include organizations that spend at least ninety percent of their operating budget in the State and are registered with the Department of Commerce and Consumer Affairs and in possession of valid certificates 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, one member of the Kaua'i County Council, Hanalei Watershed Hui, National Tropical Botanical Garden, Hui Maka'ainana O Makana, Huliauapa'a, The Hanalei Initiative, and three individuals. Your Committee received comments on this measure from the 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 S.B. No. 172, 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. 1822-22 Finance on S.B. No. 2885**

The purpose of this measure is to appropriate funds for one full-time equivalent position in the Legislative Reference Bureau's Public Access Room to provide educational outreach and engagement with all schools in the State.

Your Committee received testimony in support of this measure from the Commission to Promote and Advance Civic Education, Common Cause Hawaii, Hawaii Youth Services Network, League of Women Voters of 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 Legislative Reference Bureau and 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. 2885, 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 (Branco, McDermott).

**SCRep. 1823-22 Finance on S.B. No. 3158**

The purpose of this measure is to:

- (1) Establish the Electric Bicycle and Electric Moped Rebate Program (Rebate Program) to encourage the purchase and use of electric bicycles and electric mopeds;
- (2) Authorize the Department of Transportation to contract with a third-party administrator to operate and manage the Rebate Program;
- (3) Establish an electric bicycle and electric moped subaccount within the Highway Development Special Fund to fund the Rebate Program; and
- (4) Require that a portion of the Environmental Response, Energy, and Food Security Tax be deposited into the electric bicycle and electric moped subaccount.

Your Committee received testimony in support of this measure from the Department of Transportation, Climate Protectors Hawai'i, Maui Metropolitan Planning Organization Policy Board, Elemental Excelsior, and twelve individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of the Attorney General, Hawaii State Energy Office, Public Utilities Commission, Tax Foundation of Hawaii, Hawaii Electric Vehicle Association, Big Island Electric Vehicle Association, KauaiEV, Ulupono Initiative, 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. 3158, 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. 1824-22 Finance on S.B. No. 2819**

The purpose of this measure is to:

- (1) Repeal certain statutory provisions regarding teachers' salary schedules and ratings; and
- (2) Fund a memorandum of understanding to address compensation equity issues and make the necessary discretionary salary adjustments for experienced senior public school teachers and state public charter school teachers.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i at Mānoa College of Education, Executive Office on Early Learning, State Public Charter School Commission, Hawaii Teacher Standards Board, Rainbow Family 808, Democratic Party of Hawaii Labor Caucus, Hui for Excellence in Education, Democratic Party of Hawai'i Education Caucus, McKinley High School Special Education Department, Hawaii State Teachers Association, and numerous individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance; Board of Education; Employees' Retirement System; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Unit 6 Board of Directors of the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; 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. 2819, 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, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1825-22 Finance on S.B. No. 2820**

The purpose of this measure is to:

- (1) Provide and fund automatic step increases in salaries for each year of satisfactory service completed by educational assistants, public school teachers, and principals and vice principals;
- (2) Increase the amount of time available to teachers for collaboration, preparation, and planning, and appropriate funds for this increase; and
- (3) Appropriate funds for various teacher differentials to help address labor shortages in the areas of special education, hard-to-staff geographic locations, and Hawaiian language immersion programs.

Your Committee received testimony in support of this measure from the University of Hawai'i at Mānoa College of Education, State Public Charter School Commission, Special Education Advisory Council, Hawaii Teacher Standards Board, Rainbow Family 808, Democratic Party of Hawaii Labor Caucus, Democratic Party of Hawai'i Education Caucus, Hui for Excellence in Education, Early Childhood Action Strategy, McKinley High School Special Education Department, Hawaii State Teachers Association, Hawai'i Children's Action Network Speaks!, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance and Office of Collective Bargaining. Your Committee received comments on this measure from the Department of Education; Department of the Attorney General; Board of Education; Employees' Retirement System; Executive Office on Early Learning; 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 S.B. No. 2820, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1826-22 Finance on S.B. No. 3209**

The purpose of this measure is to appropriate funds for the Department of Education to provide twenty-one additional hours of professional development for each teacher per calendar year.

Your Committee received testimony in support of this measure from the University of Hawai'i at Mānoa College of Education, Hawai'i Teacher Standards Board, McKinley High School Special Education Department, Hawaii State Teachers 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 Department of Budget and Finance; Department of Education; State Public Charter School Commission; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; 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. 3209, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

#### **SCRep. 1827-22 Finance on S.B. No. 2162**

The purpose of this measure is to implement the use of ranked-choice voting for special elections held for congressional races in the State and vacant county council seats.

Your Committee received testimony in support of this measure from Americans for Democratic Action Hawaii, Common Cause Hawaii, League of Women Voters of Hawaii, Stonewall Caucus of the Democratic Party of Hawai'i, Kihei Community Association, Hawai'i Alliance for Progressive Action, Ke One O Kākuhihewa-O'ahu Council of the Association of Hawaiian Civic Clubs, and fourteen individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Green Party 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. 2162, 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 (Branco, McDermott).

#### **SCRep. 1828-22 Finance on S.B. No. 3041**

The purpose of this measure is to satisfy several claims against the State, its officers, or its employees.

Your Committee received comments on this measure from the Department of Public Safety, Department of Education, Department of the Attorney General, Department of Budget and Finance, and 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. 3041, 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 (Branco, McDermott).

#### **SCRep. 1829-22 Finance on S.B. No. 2373**

The purpose of this measure is to:

- (1) Create the Project Reset Program (Program) to assist offenders with securing post-release housing, including transitional housing and permanent housing, and to support the offender's reentry, rehabilitation, and employment prospects;
- (2) Establish one full-time equivalent position in the Department of Human Services to administer the Program; and
- (3) Appropriate funds for the Program.

Your Committee received testimony in support of this measure from the Department of Public Safety, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawai'i Health & Harm Reduction Center, Chamber of Commerce Hawaii, Hawaii Substance Abuse Coalition, Community Alliance on Prisons, Blueprint For Change, 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.

As affirmed by the record of votes of 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. 2373, 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 (Branco, McDermott).

#### **SCRep. 1830-22 Finance on S.B. No. 2185**

The purpose of this measure is to:

- (1) Require the fireworks and articles pyrotechnic records auditor for each county to submit an annual report to the Legislature detailing inventory, recordkeeping, and sales of fireworks to license and permit holders; and
- (2) Make a grant-in-aid to each county's fire department to cover costs associated with the annual reports.

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, 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 Budget and Finance and Hawaii Explosives & Pyrotechnics, 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 S.B. No. 2185, S.D. 3, 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 (Branco, McDermott).

#### **SCRep. 1831-22 Finance on S.B. No. 2695**

The purpose of this measure is to establish a Blockchain and Cryptocurrency Task Force.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Prosecuting Attorney of the City and County of Honolulu, Grassroot Institute 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. 2695, 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 (Branco, McDermott).

**SCRep. 1832-22 Consumer Protection & Commerce on S.B. No. 2685**

The purpose of this measure is to:

- (1) Establish requirements for cumulative voting for and removal of directors of planned community associations;
- (2) Exempt planned community associations from certain requirements regarding cumulative voting and removal of directors under the Hawaii Nonprofit Corporations Act; and
- (3) Require boards of directors of planned community associations, when planning to distribute proxies without the use of association funds, to post notices of their intent to distribute written notices for association meetings at least twenty-one days before distributing the written notices.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians; Associa; Legislative Action Committee of the Community Associations Institute, Hawaii Chapter; Hawaii Council of Community Associations; and five individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act may be manipulated by planned community association boards of directors to prevent minority groups from attaining representation by simply omitting cumulative voting from the notice. This measure clarifies that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act do not apply to planned community associations governed under the State's planned community association laws and specifies provisions specific to planned community associations.

Your Committee notes that written testimony submitted by interested stakeholders to your Committee have requested a delayed effective date of January 1, 2023, to ensure that planned community associations have sufficient notice of the change in the law to allow them to comply with the terms of this measure.

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. 2685, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2685, 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, 9. Noes, none. Excused, 2 (Aquino, Har).

**SCRep. 1833-22 Consumer Protection & Commerce on S.B. No. 3084**

The purpose of this measure is to amend the composition of the Elevator Mechanics Licensing Board by replacing the ex-officio member from the Department of Labor and Industrial Relations with a member who is a licensed elevator mechanic.

Your Committee received testimony in support of this measure from the Elevator Mechanics Licensing Board.

Your Committee finds that the Elevator Mechanics Licensing Board has experienced difficulty in achieving a quorum to conduct meetings. Part of this difficulty stems from the Department of Labor and Industrial Relations' struggle to make available an employee with expertise in elevator and escalator installation and maintenance to attend Board meetings during the coronavirus disease 2019 pandemic. By replacing the Department's ex-officio member, as proposed by this measure, the Board is more likely to achieve quorum and conduct its important business 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. 3084, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3084, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Mizuno).

**SCRep. 1834-22 Judiciary & Hawaiian Affairs on S.B. No. 2163**

The purpose of this measure is to make negligent homicide in the first degree a class A felony if the person causes the death of another by operating a vehicle in a negligent manner while under the influence of drugs or alcohol and the person:

- (1) Has one or more convictions for operating a vehicle under the influence within twenty years of the instant offense;
- (2) Is operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; or
- (3) Is a highly intoxicated driver.

Your Committee received testimony in support of this measure from the 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, Mothers Against Drunk Driving Hawaii Advisory Board, and three 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 Transportation and one individual.

Your Committee finds that heightened penalties are necessary to deter persons from repeatedly driving while under the influence of an intoxicant or driving at increased blood or breath alcohol levels. This measure is intended to prevent traffic fatalities in the State and hold offenders accountable for their negligent actions.

Your Committee has amended this measure by:

- (1) Lowering the lookback period for convictions for operating a vehicle under the influence from twenty years within the instant offense to ten years within the instant offense;
- (2) Clarifying that the class A felony offense of negligent homicide in the first degree applies to persons who, at the time of the instant offense, engaged in conduct that would constitute a violation of the offense of operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant;

- (3) Allowing the sentencing court to impose a lesser sentence for a person convicted of a class A felony offense of negligent homicide in the first degree if the court finds that strong mitigating circumstances warrant the action;
- (4) Defining the term "has been convicted one or more times for the offense of operating a vehicle under the influence" to include certain convictions and adjudications related to the use of intoxicants while operating a vehicle that, at the time of the instant offense, have not been expunged by pardon, reversed, or set aside; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

It is your Committee's intent that, if an underlying conviction for operating a vehicle under the influence has been expunged by pardon, reversed, or set aside, at the time of the incident charged as a class A felony offense of negligent homicide in the first degree, that conviction will not be counted as a prior conviction for the heightened sentencing provisions established by this measure.

As 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. 2163, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2163, 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 (Tokioa). Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 1835-22 Judiciary & Hawaiian Affairs on S.B. No. 2347**

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; and
- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed constitutional amendment and ratification question.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Judiciary and League of Women Voters of Hawaii.

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 requested by the presiding officers of the Legislature. This measure provides a mechanism to ensure that the legality of constitutional ratification questions are addressed by the highest court in the State.

Your Committee has amended this measure by:

- (1) Requiring the Supreme Court to provide a written opinion on the legality of a proposed constitutional amendment and ratification question within ten days of receipt of the request, rather than within one week; and
- (2) Making technical, 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. 2347, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2347, 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, 9. Noes, none. Excused, 2 (D. Kobayashi, Lowen).

#### **SCRep. 1836-22 Judiciary & Hawaiian Affairs on S.B. No. 3165**

The purpose of this measure is to:

- (1) Amend the driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant to not less than one year and not more than eighteen months;
- (2) Allow for the early termination of a driver's license revocation period for first time offenders convicted of operating a vehicle under the influence of an intoxicant; and
- (3) Require the maximum driver's license revocation period for people who are convicted of operating a vehicle under the influence of an intoxicant and do not own or have a vehicle or are unable to drive.

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 Office of the Public Defender.

Prior to decision making on this measure, your Committee posted and made available for public review a proposed H.D. 1, which amends this measure by:

- (1) Requiring any person operating a vehicle with an ignition interlock device to have government-issued identification in their immediate possession;
- (2) Amending the lookback period and sentencing requirements for violations of operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant;
- (3) Amending the offense of circumventing or tampering with an ignition interlock device to:
  - (A) List possible violations, including obscuring the camera lens or failing to provide a picture of the driver; and
  - (B) Extend the lookback period; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee received testimony in support of the proposed H.D. 1 from the Department of the Prosecuting Attorney of the City and County of Honolulu, Mothers Against Drunk Driving Hawaii Advisory Board, and Smart Start LLC. Your Committee received testimony in opposition to the proposed H.D. 1 from the Office of the Public Defender. Your Committee received comments on the proposed H.D. 1 from the Judiciary.

Your Committee finds that an ignition interlock device is often the first line of defense in preventing a person who is under the influence of an intoxicant from operating a vehicle. Your Committee believes that incentivizing the use of ignition interlock devices and strengthening related offenses will help reduce the number of intoxicated drivers on the road, making Hawaii's roads safer for everyone.

Accordingly, your Committee has amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Clarifying that an offense must be based on the same incident, rather than the same conduct, when a person is sentenced to consecutive terms of imprisonment for:
  - (A) Operating a vehicle after license and privilege have been suspended or revoked for operating a vehicle under the influence of an intoxicant; and
  - (B) Operating a vehicle under the influence of an intoxicant or habitually operating a vehicle under the influence of an intoxicant; and
- (2) Making technical, 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. 3165, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3165, 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; Ayes with Reservations (LoPresti). Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 1837-22 Government Reform/Judiciary & Hawaiian Affairs on S.B. No. 555**

The purpose of this measure is to prohibit legislators and persons employed by or acting on behalf of legislators from holding fundraisers during any regular session or special session.

Your Committees received testimony in support of this measure from the Campaign Spending Commission, Common Cause Hawaii, Pono Hawai'i Initiative, Iron Workers Stabilization Fund, Community Alliance on Prisons, League of Women Voters of Hawaii, Hawaii Family Advocacy Team, Hawai'i Alliance for Progressive Action, International Brotherhood of Electrical Workers Local 1260, and seventeen individuals.

Your Committees find that holding fundraisers during legislative sessions, including extended sessions or special sessions, could create the perception that donations received from fundraisers that are held during those time periods may potentially influence actions being taken on pending legislation. Furthermore, your Committees find that fundraisers held by all elected officials during these legislative sessions could also potentially have an effect on the outcome of legislation because these elected officials may have an influential role in the legislative process by virtue of their position or, through their position, could affect issues that are before the Legislature. Your Committees believe that prohibiting fundraiser events during legislative sessions by all elected officials will promote public transparency and restore confidence in Hawaii's legislative process.

Your Committees find, however, that while prohibiting fundraiser events for all elected officials creates equal application of the law, the practicality of prohibiting these events during special sessions that are called by the Senate to consider nominations for appointments made by the Governor may cause issues for other elected officials who may have planned fundraiser events to be outside the window of a regular, extended, or joint special session, which now inadvertently coincides with the confirmation special sessions and, as such, would be forced to postpone or cancel the event, thereby incurring unanticipated costs and fees to their campaign spending accounts and possibly resulting in an unwarranted violation.

Accordingly, your Committees have amended this measure by:

- (1) Specifying that the prohibition against fundraising applies to any fundraiser event held to raise contributions for which any price is charged or any contribution is suggested for attendance during regular or special sessions of the state legislature;
- (2) Expanding the prohibition against fundraiser events to all state and county elected officials;
- (3) Deleting language that would have applied the prohibition in this measure to employees and persons acting on behalf of a legislator;
- (4) Defining "elected official" and "fundraiser event";
- (5) Changing its effective date to January 1, 2023; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committees note that the use of the word "county" in this amended measure includes the City and County of Honolulu, as provided in section 1-22, Hawaii Revised Statutes.

While your Committees would like to have adopted the proposed amendment to restrict elected state and county officials from soliciting or accepting any campaign contributions during a legislative session, as proposed by the Iron Workers Stabilization Fund and others in their testimony before your Committees, your Committees believe that this proposed amendment would go beyond the scope of the single subject expressed in this measure's title, Relating to Campaign Fundraising, and adoption of this proposed amendment may make the measure legally and constitutionally defective. Your Committees hope that this issue of prohibiting all solicitations and contributions during a legislative session will be resolved by future legislatures through appropriately titled measures.

As affirmed by the records of votes of the members of your Committees on Government Reform and Judiciary & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 555, S.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 555, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Government Reform: Ayes, 6. Noes, none. Excused, 3 (Costales, Yamashita, Ward).

Judiciary & Hawaiian Affairs: Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, Takumi, Ward).

#### **SCRep. 1838-22 Judiciary & Hawaiian Affairs on S.B. No. 2082**

The purpose of this measure is to add the class C felony offenses of abuse of family or household members to the list of felonies that qualify for repeat offender sentencing.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Honolulu Police Department, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawai'i, Hawai'i State Coalition Against Domestic Violence, and two individuals.

Your Committee finds that felony abuse of family or household members should be subject to the same specialized sentencing provisions for repeat felony offenders as all other serious and violent class C felonies. The heightened penalties for repeat felony offenders more accurately reflect the seriousness of felony abuse of family or household members, promote greater protection and safety for victims and families of domestic violence, and ensure accountability for offenders.

As 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. 2082 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, 8. Noes, none. Excused, 3 (D. Kobayashi, Lowen, Tokioka).

#### **SCRep. 1839-22 Judiciary & Hawaiian Affairs on S.B. No. 2780**

The purpose of this measure is to update:

- (1) The list of federal agencies whose law enforcement officers may make arrests for certain offenses under state law by adding the United States Immigration and Customs Enforcement-Homeland Security Investigations and deleting the United States Citizenship and Immigration Services from the list; and
- (2) References to the titles of the heads of the district offices for the listed federal agencies and the names of these agencies, including United States Customs and Border Protection.

Your Committee received testimony in support of this measure from the United States Immigration and Customs Enforcement-Homeland Security Investigations, Department of the Attorney General, Department of Public Safety, Department of Transportation, Hawai'i Police Department, and Honolulu Police Department. Your Committee received testimony in opposition to this measure from Unite Here! Local 5 Hawaii, American Civil Liberties Union of Hawai'i, and one individual. Your Committee received comments on this measure from the Hawai'i Coalition for Immigrant Rights.

Your Committee finds that this measure will promote enhanced collaboration between agents of the United States Immigration and Customs Enforcement-Homeland Security Investigations and state law enforcement counterparts to better protect national security, prevent crimes of exploitation, combat financial crimes, investigate cybercrime and other threats, and ensure public safety.

As 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. 2780 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 (Takumi). Noes, 2 (D. Kobayashi, Tokioka). Excused, none.

#### **SCRep. 1840-22 Labor & Tourism/Finance on S.B. No. 775**

The purpose of this measure is to:

- (1) Provide a mechanism to adjust the transient accommodations tax rate based on visitor arrivals for a calendar year; and
- (2) Require the Hawaii Tourism Authority to determine, and the Department of Business, Economic Development, and Tourism to publish, visitor arrivals annually.

Your Committees received testimony in support of this measure from Climate Protectors Hawai'i and Hawai'i Reef and Ocean Coalition, Hawai'i Alliance for Progressive Action, Kauhako Ohana Association, Ka Leo O Nā 'Ōpio, Protea Zero Waste Store, Hawaii Impact Consulting, and numerous individuals. Your Committees received testimony in opposition to this measure from one individual.

Prior to the hearing on this measure, your Committees posted and made available for public review a proposed H.D. 1, which also amends the transient accommodations tax and does the following:

- (1) Establishes a Natural Resource Management Special Fund to address impacts to natural resources and management of natural and open space resources that are important to residents and the visitor industry;
- (2) Establishes a Natural Resource Management Commission to guide and approve the disbursement of monies deposited into the Natural Resource Management Special Fund;
- (3) Allocates annually, \$30,000,000 in transient accommodations tax revenues to the Natural Resource Management Special Fund;
- (4) Allocates \$60,000,000 in transient accommodations tax revenues to the Hawaii Tourism Authority;
- (5) Repeals the transient accommodations tax allocation of \$3,000,000 to the Special Land and Development Fund; and
- (6) Appropriates funds.

Your Committees received testimony in support of the proposed H.D. 1 from the Hawai'i Tourism Authority, Resources Legacy Fund, Surfrider Foundation Hawaii Region, Kohala Coast Resort Association, The Nature Conservancy, Wastewater Alternatives & Innovations, Sustainable Coastlines Hawai'i, Kupu, Zero Waste Oahu, 'Āina Aloha Economic Futures, Hawaiian Airlines, Hawai'i Wildlife Fund, Kua'āina Ulu 'Auamo, Mālama Pūpūkea-Waimea, Wild Kids, Friends of Hanauma Bay, Maui Chamber of Commerce, Maui Hotel & Lodging Association, Hawai'i Lodging & Tourism Association, The Trust for Public Land, and numerous individuals. Your Committees received testimony in opposition to the proposed H.D. 1 from the Department of Budget and Finance and one individual. Your Committees received comments on the proposed H.D. 1 from the Department of Land and Natural Resources; Department of Business, Economic Development, and Tourism; and Tax Foundation of Hawaii.

Your Committees find that, similar to the S.D. 2 version of the measure, the proposed H.D. 1 uses transient accommodations tax revenues to reduce the cost burden and negative impacts from tourism and record numbers of visitors to Hawaii. Your Committees further find that establishing a Natural Resource Management Special Fund to address impacts to natural resources, including offsetting adverse environmental impacts caused by resident and visitor use; protecting, restoring, or enhancing terrestrial or marine natural resources; increasing the resilience and adaptation of Hawaii's natural and open space resources with environmentally beneficial strategies to reduce the adverse impacts of climate change; removing and controlling invasive species and propagating and planting native species; and addressing deterioration and removal of dilapidated buildings on state land, is an appropriate and much-needed use of transient accommodations tax revenues.

Your Committees have amended this measure by adopting the proposed H.D. 1 and further amending the measure by:

- (1) Adding state agencies to the entities that may receive grants from the Natural Resource Management Special Fund;
- (2) Inserting an amount of \$60,000,000 for the appropriation of transient accommodations tax revenues to the Hawaii Tourism Authority;
- (3) Changing the effective date of the measure to upon approval; 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 Labor & Tourism and Finance that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 775, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto

as S.B. No. 775, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Signed by the Chairs on behalf of the Committees.

Labor & Tourism: Ayes, 7. Noes, none. Excused, 1 (Okimoto).

Finance: Ayes, 13; Ayes with Reservations (Branco, B. Kobayashi). Noes, none. Excused, 2 (Perruso, McDermott).

#### **SCRep. 1841-22 Finance on S.B. No. 3113**

The purpose of this measure is to incorporate the Kupuna Caregivers Program into the Kupuna Care Program and add services for care recipients, caregivers, and employed caregivers.

Your Committee received testimony in support of this measure from the Policy Advisory Board of Elder Affairs, Agency on Elderly Affairs of the County of Kauai, Office of Aging of the County of Hawai'i, AARP Hawai'i, AAUW of Hawaii, Rainbow Family 808, and two individuals. Your Committee received comments on this measure from the Executive Office on Aging, Alzheimer's Association, and three individuals.

Your Committee finds that the Kupuna Care Program began in 2001 to provide long-term services and supports to kupuna, and the Kupuna Caregivers Program began in 2017 to provide support for working caregivers. Your Committee concurs with the Executive Office on Aging that operating both programs, which offer the same services for kupuna and their caregivers, causes silos in the system and does not lend itself to a seamless system of supports for kupuna and their caregivers. This measure therefore streamlines the administrative and programmatic burdens imposed by the programs while allowing for an array of seamless services and supports to meet the comprehensive needs of kupuna and their caregivers.

Your Committee has amended this measure by:

- (1) Amending the definition of "kupuna care services" to include respite care for employed caregivers;
- (2) Requiring the Executive Office on Aging to develop an outreach plan to inform individuals of the Kupuna Care Program and services of the Program;
- (3) Requiring the Executive Office on Aging to submit an annual report to the Legislature regarding the number of individuals who participate in the Kupuna Care Program and the number of individuals on a program waitlist; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3113, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3113, 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, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1842-22 Finance on S.B. No. 2475**

The purpose of this measure is to clarify that:

- (1) Receipts for transportation or storage of cargo are not exempt under the general excise tax law; and
- (2) Amounts received or accrued for wharfage and demurrage services are exempt under the general excise tax law.

Your Committee received comments on this measure from the Department of Transportation, Department of Budget and Finance, Department of Taxation, Hawaii Harbor Users Group, Tax Foundation of Hawaii, The Pasha Group, and Young Brothers, LLC.

Your Committee finds that Hawaii's general excise tax is intended to be a comprehensive tax that covers nearly all levels of transactions, not just at the point of sale. However, it has been the policy of the legislature that certain transactions should not be taxed. As a result, certain exemptions are recognized under the general excise tax law.

Your Committee has amended this measure by:

- (1) Specifically exempting stevedoring services and related services from the general excise tax;
- (2) Deleting provisions that stated receipts for transportation or storage of cargo are not exempt under the general excise tax law;
- (3) Making it effective 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 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. 2475, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2475, 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, 3 (Eli, Holt, McDermott).

#### **SCRep. 1843-22 Finance on S.B. No. 514**

The purpose of this measure is to dispose of excess general fund revenues, as required by article VII, section 6, of the Hawaii State Constitution by:

- (1) Providing for an income tax credit to every resident individual taxpayer of the State;
- (2) Depositing an unspecified sum into the Emergency and Budget Reserve Fund; and
- (3) Depositing an unspecified sum into the Other Post-Employment Benefits Trust Fund.

Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Tax Foundation of Hawaii, and Grassroot Institute of Hawaii.

Your Committee finds that when the balance of the general fund at the close of each of two successive fiscal years has exceeded five percent of the general fund revenues for both fiscal years, article VII, section 6, of the Hawaii State Constitution requires the Legislature to dispose of excess general fund revenues through a tax credit or refund to state taxpayers; a deposit into one or more funds as supplemental sources of funding in times of an emergency, economic downturn, or unforeseen reduction in revenue; or an appropriation of general funds for the pre-payment of debt service for general obligation bonds or pension or other post-employment benefit liabilities accrued for state employees.

Your Committee has amended this measure by:

- (1) Inserting language to also provide a tax refund to certain taxpayers of the State; and
- (2) Changing its effective date to July 1, 2022; provided that the tax credit applies to taxable years beginning after December 31, 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. 514, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 514, 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, 3 (Holt, Perruso, McDermott).

**SCRep. 1844-22 Finance on S.B. No. 2359**

The purpose of this measure is to require the University of Hawaii to establish K-12 expanded teaching cohort programs in each county for students who are pursuing undergraduate degrees in education.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, 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 S.B. No. 2359, 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. 1845-22 Finance on S.B. No. 3374**

The purpose of this measure is to appropriate funds for the University of Hawaii community colleges' workforce development programs to fund administration, training, positions, and student support.

Your Committee received testimony in support of this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of 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. 3374, 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. 1846-22 Finance 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 and Hawai'i 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 S.B. No. 1107, 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. 1847-22 Finance on S.B. No. 3335**

The purpose of this measure is to appropriate funds for the operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee received testimony in support of this measure from the Civil Air Patrol.

As affirmed by the record of votes of 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. 3335, 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. 1848-22 Finance on S.B. No. 2378**

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten volunteer members to three full-time, salaried members, with at least two members required for quorum;
- (2) Authorizing members to validate the Board's actions with a concurrence of the majority;
- (3) Establishing a compensation schedule for board members with compensation based on a percentage of the Director of Taxation's salary;
- (4) Clarifying that Board meetings are contested case hearings and specifying notice requirements;
- (5) Clarifying the legal and evidentiary framework the Board must use in reaching its decisions; and
- (6) Appropriating funds for Board members and staff.

Your Committee received comments on this measure from the Department of Budget and Finance, 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. 2378, 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. 1849-22 Finance on S.B. No. 2808**

The purpose of this measure is to appropriate funds for the State Small Business Credit Initiative Program.

Your Committee received testimony in support of this measure from the Hawaii Green Infrastructure Authority, Chamber of Commerce Hawaii, Hawaii Food Industry Association, Maui Chamber of Commerce, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; and Hawai'i Technology 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. 2808, 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. 1850-22 Finance on S.B. No. 3337**

The purpose of this measure is to:

- (1) Establish a public policy framework that addresses state goals regarding economic disaster mitigation and economic diversification;
- (2) Require the Department of Business, Economic Development, and Tourism to submit annual reports prior to the Regular Sessions of 2023, 2024, and 2025 to the Legislature summarizing project outcomes; and
- (3) Appropriate funds to implement projects that address the state goals regarding economic disaster mitigation and economic diversification, and staff the Hawaii Center for Advanced Transportation Technologies.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation; Department of Research and Development of the County of Hawaii; Auamo Collaborative; HawaiiKidsCAN; Banyan Networks; O'ahu County Democrats Digital Equity Committee; Tangent Systems; AlohaCare; Economic Development Alliance of Hawaii; 3Red8, Inc.; and one individual. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Office of Planning and Sustainable Development; Hawaii Technology Development Corporation; Hawaii State Energy Office; Hawaii Community Development Authority; Hawaii Green Infrastructure Authority; Natural Energy Laboratory of Hawaii Authority; Maui Chamber of Commerce; and Hunt Development Group, 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 S.B. No. 3337, 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. 1851-22 Finance on S.B. No. 3040**

The purpose of this measure is to:

- (1) Create a State Procurement Automation System Special Fund;
- (2) Authorize the Administrator of the State Procurement Office to develop and administer procurement automation systems and charge and collect a transaction fee from all vendors using the procurement automation systems;
- (3) Delete language regarding qualified community rehabilitation programs made redundant by Act 55, Session Laws of Hawaii 2021; and
- (4) Establish five full-time equivalent positions in the State Procurement Office.

Your Committee received testimony in support of this measure from the Department of Transportation, State Procurement Office, and Hawaii State Council on Developmental Disabilities. 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. 3040, 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 (Perruso, McDermott).

**SCRep. 1852-22 Finance on S.B. No. 2298**

The purpose of this measure is to increase the penalty for employers who fail to pay the wages of their employees in accordance with chapter 387, Hawaii Revised Statutes, the wage and hour law, and chapter 388, Hawaii Revised Statutes, governing payment of wages and other compensation, to a class C felony.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i State AFL-CIO, and IATSE Local 665. Your Committee received testimony in opposition to 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. 2298, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 1 (Wildberger). Excused, 2 (Branco, McDermott).

**SCRep. 1853-22 Finance on S.B. No. 3142**

The purpose of this measure is to add reserve public safety law enforcement officers to the list of volunteer occupations covered under the workers' compensation law.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and 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. 3142, 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. 1854-22 Finance on S.B. No. 1294**

The purpose of this measure is to appropriate funds to restore basic diagnostic, preventive, and restorative dental benefits for adult Medicaid enrollees.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Mānoa, State Council on Developmental Disabilities, AARP Hawai'i, Ho'ōla Lāhui Hawai'i, Hawai'i Medical Service Association, Hawai'i Health & Harm Reduction Center, Hawaii Disability Rights Center, Hawaii Association of Health Plans, Health Committee of the Democratic Party of Hawai'i, Americans for Democratic Action, Hawai'i Children's Action Network Speaks!, United Healthcare, Papa Ola Lōkahi, Catholic Charities Hawai'i, Hawaii Medical Association, The Queen's Health Systems, Waianae Coast Comprehensive Health Center, Hawaii Dental Association, Hawai'i Section of the American College of Obstetricians and Gynecologists, Hawaii Chapter of the American College of Emergency Physicians, Kaiser Permanente Hawai'i, and numerous 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, Department of Budget and Finance, Executive Office on Aging, 'Ohana Health Plan, Progressive Democrats of Hawaii, Hawaii Primary Care Association, West Hawaii Community Health Center, Hawai'i Oral Health Coalition, AlohaCare, Oral Health Progress and Equity Network, Kōkua Kalihi Valley Comprehensive Family Services, 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. 1294, 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. 1855-22 Finance on S.B. No. 2276**

The purpose of this measure is to make comprehensive updates to the statutory provisions regarding acupuncture practitioners to reflect modernized scopes of practice and licensing requirements.

Your Committee received testimony in support of this measure from the Board of Acupuncture; AcuPlan Hawaii; American Acupuncture Council; Kailua Acupuncture Clinic; National Certification Commission for Acupuncture and Oriental Medicine; American Society of Acupuncturists; OceanMed Integrative Health Clinic; Acupuncture & Wellness Center, LLC; Soulistic Holistics Hawaii; and numerous individuals. Your Committee received testimony in opposition to this measure from the CHI Lifestyle Medical Center and four individuals. Your Committee received comments on this measure from the Hawaii Acupuncture Association, Hawaii Medical Association, Longevity Health Center, 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 S.B. No. 2276, 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. 1856-22 Finance on S.B. No. 2371**

The purpose of this measure is to:

- (1) Establish a Statewide Homelessness Information System Working Group to assess the feasibility of establishing a statewide information system to collect and track real-time data related to homelessness in the State; and
- (2) Appropriate funds for the Department of Human Services to contract with a third-party to prepare the report of the working group that is required to be submitted to the Legislature prior to the Regular Session of 2023.

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 one individual. Your Committee received comments on this measure from the Judiciary, Governor's Coordinator on Homelessness, Department of Human Services, Department of Budget and Finance, Office of the Public Defender, and Partners in Care.

As affirmed by the record of votes of 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. 2371, 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. 1857-22 Finance on S.B. No. 2375**

The purpose of this measure is to:

- (1) Require the Department of Public Safety, in collaboration with the Department of Human Services, to develop and establish a social work training program to assist nonviolent incarcerated individuals to explore a professional pathway in social work and become eligible to work as assistants to licensed social workers; and
- (2) Appropriate funds to develop and establish the social work training program.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Hawaii Substance Abuse Coalition, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, Department of Budget and Finance, and 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. 2375, 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. 1858-22 Finance on S.B. No. 2376**

The purpose of this measure is to:

- (1) Repeal the deferred payment purchase option for cigarette tax stamps; and
- (2) Require licensees to pay for cigarette tax stamps at the time of purchase using cash, certified check, or bank transfer.

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.

As affirmed by the record of votes of 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. 2376, 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. 1859-22 Finance on S.B. No. 2678**

The purpose of this measure is to appropriate funds to the Hawaii State Health Insurance Assistance Program to expand the program by contracting with third-party service providers and staffing consultants and recruiting more volunteers.

Your Committee received testimony in support of this measure from AARP Hawai'i, Catholic Charities Hawai'i, Hawai'i Family Caregiver Coalition, and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance and 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 S.B. No. 2678, 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. 1860-22 Finance on S.B. No. 3235**

The purpose of this measure is to establish and appropriate funds for an inter-agency Safe Spaces for Youth Pilot Program within the Department of Human Services to provide safe spaces in each county for youth experiencing homelessness.

Your Committee received testimony in support of this measure from the Hawaii Youth Services Network, Rainbow Family 808, Stonewall Caucus of the Democratic Party of Hawai'i, Hawaii Chapter of the American College of Emergency Physicians, Opportunity Youth Action Hui, Young Democrats 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 Governor's Coordinator on Homelessness, Department of Human Services, and 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. 3235, 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. 1861-22 Finance on S.B. No. 1048**

The purpose of this measure is to:

- (1) Authorize the Hawaii Criminal Justice Data Center and state and county criminal justice agencies to assess fees for services provided; and
- (2) Remove the fee waiver that exempts county agencies from paying fees related to employment background checks.

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 S.B. No. 1048, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

**SCRep. 1862-22 Finance on S.B. No. 2114**

The purpose of this measure is to update the Children's Justice Program to include the investigation and management of cases involving suspected or confirmed child sex trafficking, commercial sexual exploitation of children, other child maltreatment, and child witnesses to crime or violence.

Your Committee received testimony in support of this measure from the Judiciary, Department of Education, Department of the Attorney General, Department of Human Services, Honolulu Police Department, Office of the Prosecuting Attorney of the County of Hawai'i, Department of the Prosecuting Attorney of the City and County of Honolulu, County of Kauai Victim/Witness Program, Hawai'i Exploitation and Trafficking Unit, Hawaii State Bar Association, The 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 S.B. No. 2114 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

**SCRep. 1863-22 Finance on S.B. No. 2136**

The purpose of this measure is to prohibit juror exclusion based on gender identity or expression.

Your Committee received testimony in support of this measure from the Hawai'i Health & Harm Reduction Center, Stonewall Caucus of the Democratic Party of Hawai'i, Rainbow Family 808, LGBT Student Services of the University of Hawai'i at Mānoa, 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. 2136, 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 (Branco, McDermott).

**SCRep. 1864-22 Finance on S.B. No. 2390**

The purpose of this measure is to:

- (1) Increase the number of associate judges on the Intermediate Court of Appeals from five to six; and

- (2) Appropriate funds to the Judiciary for one additional Intermediate Court of Appeals associate judge, one judicial assistant, two law clerks, and related equipment and supplies.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Office of the Public Defender; Appellate Section of the Hawaii State Bar Association; Hawaii State Bar Association; Kai Law, LLC; and five individuals. Your Committee received comments on this measure from the Judiciary, Department of Budget and Finance, 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. 2390, 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 (Branco, McDermott).

**SCRep. 1865-22 Finance on S.B. No. 2740**

The purpose of this measure is to:

- (1) Allow the Judiciary to compensate guardians ad litem for involuntary hospitalization and assisted community treatment petitions at a rate higher than existing statutory guidelines; and
- (2) Appropriate funds to the Judiciary for compensation of guardians ad litem appointed to individuals who are the subject of a petition for involuntary hospitalization or assisted community treatment and related costs.

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 Judiciary and 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. 2740, 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 (Branco, McDermott).

**SCRep. 1866-22 Finance on S.B. No. 2741**

The purpose of this measure is to provide a limited exemption from certain requirements of the State's open meetings law for members of the Commission to Promote Uniform Legislation to attend and participate in meetings hosted by the Uniform Law Commission, without any limitation on the number of participating members.

Your Committee received testimony in support of this measure from the Department of the Attorney General and three individuals. 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 S.B. No. 2741 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

**SCRep. 1867-22 Finance on S.B. No. 3044**

The purpose of this measure is to provide a mechanism for:

- (1) Tobacco product manufacturers that are not signatories to the Master Settlement Agreement to assign their interest in any qualified escrow fund balances to the State; and
- (2) Financial institutions acting as the escrow agent of the qualified escrow fund to petition the courts to authorize transfer of funds to the State when the qualified escrow fund is abandoned.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received testimony in opposition to this measure from 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. 3044, 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 (Branco, McDermott).

**SCRep. 1868-22 Finance on S.B. No. 2125**

The purpose of this measure is to increase the maximum allowable fine for violations of the liquor control laws by a licensee from \$2,000 to \$5,000.

Your Committee received testimony in opposition to this measure from Lanikai Brewing Company, Maui Brewing Company, and Hawaii Food Industry 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. 2125, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, 2 (Branco, Wildberger). Excused, 1 (McDermott).

**SCRep. 1869-22 Finance on S.B. No. 2923**

The purpose of this measure is to increase the generally applicable statutory fine and fine for homeowner liability under the Fireworks Control Law from \$2,000 to \$5,000.

Your Committee received testimony in support of this measure from the State Fire Council, Honolulu Fire Department, Maui Fire Department, Poi Dogs & Popoki, and two individuals. Your Committee received testimony in opposition to 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. 2923, 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. 1870-22 Finance on S.B. No. 3077**

The purpose of this measure is to align the regulatory structure for the practices of barbering and cosmetology by consolidating the existing statutory framework under a new chapter and to:

- (1) Update definitions and other provisions to accommodate the needs of the industries and the public;
- (2) Increase penalties and fine amounts for unlicensed activity and license violations; and
- (3) Remove the medical clearance requirement for licensees.

Your Committee received comments on this measure from the Board of Barbering and Cosmetology.

As affirmed by the record of votes of 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. 3077, 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 (Branco, McDermott).

**SCRep. 1871-22 Finance on S.B. No. 2182**

The purpose of this measure is to establish and fund a School Garden Coordinator position within the Department of Education's Office of Curriculum and Instructional Design to provide technical support and startup resources for schools interested in starting a school garden program.

Your Committee received testimony in support of this measure from The Outdoor Circle, Local Food Coalition, Hawai'i Farm Bureau, Ka Ohana O Na Pua, Hawai'i Farm to School Hui, Center for Getting Things Started, Hawai'i Youth Food Council, Farm to Keiki, Hawaii Food Industry Association, Hawai'i Food+ Policy Internship, and fifteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Health, 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 S.B. No. 2182, 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 (Perruso, McDermott).

**SCRep. 1872-22 Finance on S.B. No. 2862**

The purpose of this measure is to appropriate funds to the Department of Education to install air conditioning units in public school classrooms that have not received air conditioning units or other heat abatement measures.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Democratic Party of Hawai'i Education Caucus, Henry J. Kaiser High School, and one individual. Your Committee received comments on this measure from the Department of Budget and Finance 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 S.B. No. 2862, 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 (Perruso, McDermott).

**SCRep. 1873-22 Finance on S.B. No. 2818**

The purpose of this measure is to establish and appropriate funds for a Summer Learning Coordinator position within the Department of Education to coordinate all school-based summer programs for children.

Your Committee received testimony in support of this measure from the Hawai'i Afterschool Alliance, Hawaii Association of School Psychologists, and Hui for Excellence in Education. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Education, and Waimea Middle Public Conversion 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. 2818, 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 (Perruso, McDermott).

**SCRep. 1874-22 Finance on S.B. No. 2822**

The purpose of this measure is to authorize the Department of Education to offer optional asthma education instruction to students and provide asthma training to teachers and other Department employees who interact with students.

Your Committee received testimony in support of this measure from the Department of Health; Disability and Communication Access Board; Hawaii Medical Association; Hawaii Association of School Psychologists; American Academy of Pediatrics, Hawaii Chapter; Hawai'i Primary Care Association; and two individuals. Your Committee received comments on this measure from the Department of Education, Special Education Advisory Council, Hawai'i Children's Action Network Speaks!, American Lung Association in Hawaii, Hawai'i Public Health Association, Hawai'i Public Health Institute, 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. 2822, 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 (Perruso, McDermott).

**SCRep. 1875-22 Finance on S.B. No. 2824**

The purpose of this measure is to amend the minimum qualifications for members of the Board of Education to:

- (1) Diversify the experiences of the Board to include knowledge, experience, and proven expertise in education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate finance, or organization management; and
- (2) Clarify that members of the Board must have an understanding of best practices in educational governance through organizations such as the National Association of State Boards of Education.

Your Committee received testimony in support of this measure from the Chamber of Commerce Hawaii, HawaiiKidsCAN, and three individuals. Your Committee received comments on this measure from the 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 S.B. No. 2824, 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 (Perruso, McDermott).

**SCRep. 1876-22 Finance on S.B. No. 3095**

The purpose of this measure is to authorize the issuance of general obligation bonds to make an emergency appropriation for the Department of Education to secure a new maintenance base yard.

Your Committee received testimony in support of 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. 3095, 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 (Perruso, McDermott).

**SCRep. 1877-22 Finance on S.B. No. 3094**

The purpose of this measure is to:

- (1) Make an emergency appropriation to the Department of Education to build a virtual school to allow for distance learning; and
- (2) Authorize the issuance of general obligation bonds to make an emergency appropriation for renovations and electrical upgrades for the virtual school.

Your Committee received testimony in support of this measure from the Department of Education and Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO. Your Committee received comments on 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 S.B. No. 3094, 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 (Perruso, McDermott).

**SCRep. 1878-22 Finance on S.B. No. 3190**

The purpose of this measure is to require the Department of Education to establish a native fish hatchery pilot program at Waianae High School and appropriate funds for the program.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Education, Kua'āina Ulu 'Auamo, Environmental Caucus of the Democratic Party of Hawai'i, The Marine Science Learning Center at Wai'anāe High School, and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance 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. 3190, 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 (Perruso, McDermott).

**SCRep. 1879-22 Finance on S.B. No. 2251**

The purpose of this measure is to:

- (1) Authorize the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects; and
- (2) Prohibit the development or construction of such housing projects on ceded land that is vacant on or after January 1, 2022.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority, Hawai'i Association of REALTORS, 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 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. 2251, S.D. 2, H.D. 2, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, 1 (Marten). Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1880-22 Finance on S.B. No. 2504**

The purpose of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords to participate in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937 and appropriate funds for these incentives;

- (2) Require the Hawaii Public Housing Authority to adopt or amend rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (3) Establish and appropriate funds for positions within the Hawaii Public Housing Authority for inspections and other aspects related to dwelling units that are the subject of applications for the Section 8 Housing Choice Voucher Program.

Your Committee received testimony in support of this measure from Catholic Charities Hawai'i; Partners in Care; Hawai'i Association of REALTORS; and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Hawaii Public Housing 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 S.B. No. 2504, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1881-22 Finance on S.B. No. 2581**

The purpose of this measure is to codify as a priority guideline for the provision of affordable housing in the Hawaii State Planning Act, the use of lands within the State that are leased to the federal government or under the federal government's control and that are to be returned to the State to meet the housing needs of certain households.

Your Committee received testimony in support of this measure from Partners In Care and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources and Office of Planning and Sustainable Development.

As affirmed by the record of votes of 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. 2581, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1882-22 Finance on S.B. No. 2667**

The purpose of this measure is to indefinitely extend the deadline for the Hawaii Housing Finance and Development Corporation to renegotiate an existing, or issue a new, ground lease for the Front Street Apartments affordable housing project in Lahaina, Maui, before the initiation of condemnation proceedings.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and one member of the Maui County Council. Your Committee received testimony in opposition to this measure from one member of the Maui County Council, Hawaii Appleseed, and Lawyers for Equal Justice. Your Committee received comments on this measure from the Ahe Group and Affordable Housing and Economic Development 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 S.B. No. 2667, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1883-22 Finance on S.B. No. 2812**

The purpose of this measure is to:

- (1) Require counties or issuers that retain their allocation of the annual state ceiling to submit quarterly reports to the Department of Budget and Finance on the status or use of their portion of the allocation;
- (2) Prohibit the authorization of any special purpose revenue bonds that require an allocation of the annual state ceiling after June 30, 2022, and before December 31, 2028, unless requested by the Governor and approved by the Legislature; and
- (3) Require any allocation of the annual state ceiling to a county with a population of over five hundred thousand during that same time frame to be used only for rental housing projects that are eligible for the Low-Income Housing Tax Credit.

Your Committee received testimony in support of this measure from Catholic Charities Hawai'i. Your Committee received testimony in opposition to this measure from the Department of Planning and Permitting of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Budget and Finance 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 S.B. No. 2812, 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 (Marten). Noes, none. Excused, none.

#### **SCRep. 1884-22 Finance on S.B. No. 2196**

The purpose of this measure is to:

- (1) After January 1, 2023, prohibit the issuance of a building permit for any new multi-family residential building that has ten or more parking stalls, unless the building's parking stalls are electric vehicle charger ready; and
- (2) Require cooperative housing corporations, homeowners associations, planned community associations, and condominium associations to develop plans to incorporate electric vehicle charging systems onto any of its residential properties that are newly constructed after January 1, 2023.

Your Committee received testimony in support of this measure from the Hawai'i State Energy Office, Palehua Townhouse Association, Ulupono Initiative, Climate Protectors Hawai'i, Pearl City Neighborhood Board No. 21, Recycle Hawaii and Clean the Pacific, Big Island EV Association, American Lung Association in Hawaii, Alliance for Automotive Innovation, Environmental Caucus of the Democratic Party of Hawai'i, and eighteen individuals. Your Committee received testimony in opposition to this measure from the Community Associations Institute and Building Industry Association of Hawaii. Your Committee received comments on this measure from the Hawaii Electric Vehicle Association, 350Hawaii.org, Tesla, Hawaiian Electric Company, 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. 2196, 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, Holt, B. Kobayashi, Sayama, Tam, Todd). Noes, 1 (McDermott). Excused, none.

**SCRep. 1885-22 Finance on S.B. No. 2474**

The purpose of this measure is to require the Public Utilities Commission to establish reliability standards and interconnection requirements for renewable energy projects and community-based renewable energy projects.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i. 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, Hawaii Clean Power Alliance, and Kalama'ula Mauka Homestead 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. 2474, 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. 1886-22 Finance on S.B. No. 2483**

The purpose of this measure is to require the Hawaii Natural Energy Institute to evaluate the benefits and costs of dispatching renewable energy resources considering the context of ongoing state energy planning efforts.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from the Hawaiian Electric Company. Your Committee received comments on this measure from the Hawaii State Energy Office, Hawai'i Natural Energy Institute of the University of Hawai'i at Mānoa, Hawaii Clean Power Alliance, 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. 2483, 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. 1887-22 Finance on S.B. No. 2570**

The purpose of this measure is to:

- (1) Establish the Zero-Emission Vehicle Fueling System Rebate Program;
- (2) Establish the rebate amount for the installation or upgrade of a hydrogen fueling system;
- (3) Establish a hydrogen fueling system subaccount within the Public Utilities Commission Special Fund; and
- (4) Reduce the allocation that the Energy Systems Development Special Fund receives from the Environmental Response, Energy, and Food Security Tax from 8 cents to 5 cents and allocate the difference to the hydrogen fueling system subaccount.

Your Committee received testimony in support of this measure from the Hawaii Hydrogen Alliance, Hawai'i Gas, Hawai'i Energy, 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 Budget and Finance, Department of Transportation, Public Utilities Commission, Hawaii State Energy Office, Hawai'i Natural Energy Institute, Ulupono Initiative, Servco, Hawaii Electric Vehicle Association, Alliance for Automotive Innovation, and Aloha Charge.

As affirmed by the record of votes of 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. 2570, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1888-22 Finance on S.B. No. 2998**

The purpose of this measure is to require the Department of Health to develop a risk-based selection process to select reports submitted by certain beverage distributors and redemption centers for audit.

Your Committee received testimony in support of this measure from the Department of Health and American Beverage Association. Your Committee received testimony in opposition to 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 S.B. No. 2998, S.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1889-22 Finance on S.B. No. 3325**

The purpose of this measure is to:

- (1) Establish the Hawaii Carbon Smart Land Management Assistance Pilot Program to incentivize carbon sequestration activities through incentive contracts that provide compensation for eligible practices;
- (2) Repeal the Carbon Offset Program; and
- (3) Appropriate funds for staff positions and assistance with the Pilot Program.

Your Committee received testimony in support of this measure from the Kauai Women's Caucus, Climate Protectors Hawai'i, Environmental Caucus of the Democratic Party of Hawai'i, The Nature Conservancy – Hawai'i and Palmyra, Hawai'i Farm Bureau, Hawai'i Alliance for Progressive Action, 350Hawaii.org, 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 Land and Natural Resources; Department of Budget and Finance; Department of Agriculture; Office of Planning and Sustainable Development; Hawaii Cattlemen's Council, Inc.; and Hawai'i Gas.

As affirmed by the record of votes of 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. 3325, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1890-22 Consumer Protection & Commerce on S.B. No. 2877**

The purpose of this measure is to regulate the process for application screening fees for dwellings made available for rent under the Residential Landlord-Tenant Code.

Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Commerce and Consumer Affairs, Department of Human Services, St. Michael the Archangel Church, Catholic Charities Hawai'i, and Hawai'i Health & Harm Reduction Center.

Your Committee finds that rental units serve a vital role in ensuring residents of the State have housing. However, under existing law, prospective tenants are not protected from and are susceptible to being assessed excessively large application fees. These application fees can range from \$50 to \$100, although the actual cost of performing any of the necessary background or credit checks on a prospective tenant ranges from \$10 to \$25. This measure will curb this unscrupulous practice by requiring unused application fees to be returned to applicants.

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. 2877, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8; Ayes with Reservations (Onishi). Noes, none. Excused, 3 (Har, Hashem, Kong).

#### **SCRep. 1891-22 Consumer Protection & Commerce on S.B. No. 2382**

The purpose of this measure is to prohibit the issuance of cabaret licenses to any premises located within an apartment mixed use subprecinct within a special improvement or special district in which the economy is primarily based on tourism.

Your Committee received testimony in support of this measure from ten individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that certain freestanding liquor establishments holding a class 11 cabaret license have created public safety issues for residents and visitors. Cabarets located in resort areas are allowed to operate until 4:00 a.m. everyday. These long hours of operation often result in increased criminal activity in the area, including assaults, attacks, and robberies. This measure minimizes the risk posed by cabarets by prohibiting their establishment within an apartment mixed use subprecinct within a special improvement or special district in which the economy is primarily based on tourism.

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. 2382, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

#### **SCRep. 1892-22 Judiciary & Hawaiian Affairs on S.B. No. 2202**

The purpose of this measure is to designate the month of April of each year as Volunteer Month in Hawaii.

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

Your Committee finds that volunteerism is a vital and valuable service for a functioning society. Volunteers have been especially essential during the coronavirus disease 2019 pandemic, having volunteered their time and skills to administer vaccines and provide food, water, and other necessities. This measure is intended to honor volunteers in the community and encourage participation in service projects throughout the month of April.

As 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. 2202, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1893-22 Judiciary & Hawaiian Affairs on S.B. No. 3038**

The purpose of this measure is to allow each member of the Information Privacy and Security Council to designate a person from that member's agency to attend meetings and act on the member's behalf in order to ensure quorum at meetings.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services.

Your Committee finds that it is often difficult for the Information Privacy and Security Council to establish quorum due to the competing work priorities and obligations of its members. Your Committee believes that it is in the best interest of the public to allow each member of the Council to appoint a designee to attend meetings and act on the member's behalf, including for voting purposes, when the member is unable to attend a meeting.

As 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. 3038 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1894-22 Judiciary & Hawaiian Affairs on S.B. No. 3219**

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically present with a board member attending a remote board meeting at a nonpublic location applies only to the disclosure of the names of adults, and not minors, unless the minor has a private interest with any issue before the board.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, one member of the Maui County Council, and one



individual. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021 (Act 220), allows boards subject to the State's Sunshine Law the option to use interactive conference technology to conduct remote meetings. Your Committee further finds that Act 220 requires a board member participating from a nonpublic location to identify those who are also present in that same location. Your Committee notes that board members may have their minor children present with them during a virtual board or committee meeting. Your Committee believes that, barring specific circumstances as provided by law, children's privacy rights supersede the public's right to disclosure of all the individuals who are present with a board member in a virtual meeting.

As 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. 3219, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1895-22 Judiciary & Hawaiian Affairs on S.B. No. 3078**

The purpose of this measure is to amend the law regarding advance warning of excavations (One Call law) to improve consumer protection, including:

- (1) Narrowing the exemption from the requirements of the One Call law for excavations performed on certain residential property to only those excavations performed less than twelve inches in the ground;
- (2) Clarifying that locators are subject to the requirements of the One Call law; and
- (3) Specifying the situations in which persons have a duty to notify emergency services and operators of hazards and minimize the hazards.

Your Committee received testimony in support of this measure from the Public Utilities Commission.

Your Committee finds that the amendments proposed by this measure will help reduce risks to homeowners, residential communities, and those involved in performing excavation work.

As 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. 3078, 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 (D. Kobayashi).

#### **SCRep. 1896-22 Judiciary & Hawaiian Affairs on S.B. No. 1211**

The purpose of this measure is to avoid a conflict with federal law by repealing the exemption for certain vehicles used by farmers from the Motor Carrier Safety Law.

Your Committee received testimony in support of this measure from the Department of Transportation and Hawai'i Farm Bureau.

Your Committee finds that the federal Moving Ahead for Progress in the 21st Century Act, P.L. 112-141, allows the withholding of federal funds to states that fail to adopt the covered farm vehicle exemption under various classes of laws regarding motor vehicles. Your Committee further finds that the Department of Transportation adopted the federal exemption through administrative rules. However, the existing statutory exemption for vehicles used by farmers conflicts with the federal exemption. As a result of this conflict, the State risks losing federal funds that provide assistance to the State in carrying out its commercial motor vehicle safety program. This measure repeals the existing statutory exemption for vehicles used by farmers, which removes the conflict with 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 S.B. No. 1211, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1897-22 Judiciary & Hawaiian Affairs on S.B. No. 3140**

The purpose of this measure is to:

- (1) Require the holder of a controlled substances registration to immediately and verbally report to the Administrator of the Narcotics Enforcement Division of the Department of Public Safety any suspected theft, embezzlement, fraud, or diversion of a controlled substance in the holder's inventory, and to subsequently submit a written report; and
- (2) Establish a misdemeanor penalty for a person who knowingly prevents another from reporting any suspected theft, embezzlement, fraud, or diversion, or who knowingly fails to provide required information to the Administrator.

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

Your Committee finds that the theft, embezzlement, fraud, and diversion of controlled substances are serious incidents that pose substantial risks to public health and safety. Your Committee further finds that for various reasons, suspected incidents are not being reported in a timely manner to the Department of Public Safety, which makes it substantially more difficult for the Department to enforce the Uniform Controlled Substances Act. This measure assists the Department in its enforcement efforts by imposing a duty to report on registrants in the event there is a suspected theft, embezzlement, fraud, or diversion of controlled substances.

As 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. 3140, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1898-22 Judiciary & Hawaiian Affairs on S.B. No. 2305**

The purpose of this measure is to clarify that the Hawaii Correctional System Oversight Commission must ensure that the comprehensive offender reentry system is working properly to provide programs and services that result in the timely release of inmates on parole when the minimum term, rather than the maximum term, has been served by the inmate.

Your Committee received testimony in support of this measure from the Department of Public Safety, Community Alliance on Prisons, Hawaii Substance

Abuse Coalition, Common Cause Hawaii, American Civil Liberties Union of Hawai'i, Clean the Pacific and Recycle Hawaii, and seven individuals.

Your Committee finds that the development and implementation of comprehensive reentry plans for inmates are critical to their success when transitioning to life after incarceration. This measure corrects an error that inadvertently provided that individuals must serve their maximum terms versus their minimum terms before being released on parole.

As 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. 2305 and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1899-22 Judiciary & Hawaiian Affairs on S.B. No. 2137**

The purpose of this measure is to require the Department of Health and pertinent county agencies to work together to resolve problems and complaints regarding clean and sober homes.

Your Committee received testimony in support of this measure from the Department of Health and Hawaii Substance Abuse Coalition. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that clean and sober homes are a critical strategy in assisting a person's recovery from substance use disorder. The transition from active addiction into lasting recovery is often difficult and emotionally trying for many with substance use disorder. Clean and sober homes provide a stable independent environment and living conditions that are free of alcohol and drugs to support and sustain the recovery process.

Your Committee further finds that surrounding communities have been frustrated with the poor performance of some clean and sober homes. This measure balances the need for continuing the operations of clean and sober homes to provide the necessary assistance and services to persons with substance use disorder, while ensuring that community concerns are addressed.

As 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. 2137, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1900-22 Consumer Protection & Commerce on S.B. No. 3272**

The purpose of this measure is to require the Director of Transportation to adopt rules to require tour aircraft operators to report details of each flight taken by the tour aircraft operation on a monthly basis.

Your Committee received testimony in support of this measure from the Department of Transportation, O'ahu Tour Helicopter Safety and Noise Inter-Action Group, and eleven individuals. Your Committee received testimony in opposition to this measure from Jack Harter Helicopters and Paradise Helicopters.

Your Committee finds that, while there have been several efforts to address the excessive noise and safety hazards posed by tour helicopters and small aircrafts operating in the State, community concerns over excessive noise and safety hazards continue to grow. This measure will assist the Department of Transportation in its monitoring of tour aircraft operators to determine their compliance with federal and state laws.

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. 3272, 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. 3272, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

#### **SCRep. 1901-22 Consumer Protection & Commerce on S.B. No. 2679**

The purpose of this measure is to extend the driver's license renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age.

Your Committee received testimony in support of this measure from the Department of Transportation, Executive Office on Aging, AARP Hawai'i, and eleven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that existing law establishes different driver's license renewal periods based on the age of the license holder. Specifically, drivers seventy-two years of age and older are required to renew their licenses every two years. However, the Department of Transportation has found no local data to indicate that drivers seventy years of age or older are at higher risk of causing or being involved in motor vehicle collisions.

Your Committee also finds that only twenty-one United States jurisdictions have shorter driver's license renewal periods based on the age of the driver. Furthermore, those jurisdictions that have different renewal periods based on age are generally longer than four years. This measure will extend the driver's license renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age.

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. 2679, 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. 2679, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

**SCRep. 1902-22 Consumer Protection & Commerce on S.B. No. 449**

The purpose of this measure is to require:

- (1) Property owners of residential real property to disclose, as part of the mandatory seller disclosures in real estate transactions, whether the installed smoke alarm in the residential real property is in accordance with existing building or residential codes based on information provided by the State Fire Council; and
- (2) The State Fire Council to create and maintain an informational guide on approved smoke alarms that are in accordance with existing state or county building or residential codes and post the informational guide on the State Fire Council's website and each county fire department's website.

Your Committee received testimony in support of this measure from the State Fire Council, Maui Fire Department, and Honolulu Fire Department. Your Committee received testimony in opposition to this measure from the Hawai'i Association of REALTORS.

Your Committee finds that smoke alarms, when properly installed and maintained, provide early warning of a potentially deadly fire and can reduce the risk of dying from a fire and extensive property damage. This measure will ensure buyers have important safety information regarding their potential home purchases and may increase the likelihood that smoke alarms will be updated prior to a sale of residential property.

Your Committee has amended this measure by:

- (1) Inserting a definition for "smoke alarm"; and
- (2) Making technical, 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. 449, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 449, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

**SCRep. 1903-22 Consumer Protection & Commerce on S.B. No. 3284**

The purpose of this measure is to establish a Technology Services Consolidation Working Group to:

- (1) Develop a plan for the phased consolidation of all state Executive Branch information technology services and staff within five years, except those of the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs, under the Office of Enterprise Technology Services; and
- (2) Recommend ways to attract high-quality information technology professionals to Hawaii.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services and Transform Hawai'i Government. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Budget and Finance, and Department of Transportation.

Your Committee finds that information technology services are used in each department to fulfill their duties and responsibilities. Your Committee further finds that the State may benefit from the consolidation of information technology services to gain economies of scale and provide for a more efficient and secure use of technology and information management. The Office of Enterprise Technology Services has already successfully consolidated many information technology services, such as Microsoft 365 for email, file sharing, and online meetings and Adobe eSign for document management, workflow, and electronic signatures. This measure will promote further consolidation of information technology services to benefit the State through the establishment of a Technology Services Consolidation Working Group.

Your Committee notes that it is your Committee's expectation that information technology personnel will still be necessary in each department for purposes of providing technical assistance or other functions after the completion of any proposed phased consolidation.

Your Committee has amended this measure by:

- (1) Clarifying that the consolidation of information technology services only applies to those services in which the consolidation is determined to be practicable and feasible by the Technology Services Consolidation 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3284, 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. 3284, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

**SCRep. 1904-22 Consumer Protection & Commerce on S.B. No. 2798**

The purpose of this measure is to:

- (1) Authorize the Hawaii Board of Veterinary Medicine to grant temporary courtesy permits and relief permits for out-of-state veterinarians;
- (2) Specify the conditions under which licensed veterinarians may practice veterinary telemedicine;
- (3) Clarify when persons licensed to practice veterinary medicine in other jurisdictions may practice in the State; and
- (4) Authorize international veterinary school graduates to qualify for the licensure examination.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawaii Board of Veterinary Medicine, Hawaiian Humane Society, Neighborhood Cats, Kaua'i Humane Society, Humane Society Veterinary Medical Association, Hawaii Veterinary Medical Association, Cat People of Oahu, Hui Pono Holoholona, and numerous individuals.

Your Committee finds that there is a shortage of veterinarian specialists and practitioners in the State, which has made it exceedingly difficult for animal welfare organizations and veterinary practices to fill vacant positions. This has prevented veterinary emergency hospitals from operating on an around-the-clock basis and has limited the availability of general and specialty veterinary care throughout Hawaii. As a result, owners and their pets may experience delays in care as long as several months.

Your Committee further finds that, in 2020, the practice of an out-of-state veterinarian working under the sponsorship of an in-state veterinarian was invalidated by the Board of Veterinary Medicine. While this practice was commonly employed for many years by nonprofit organizations to meet their acute needs, this practice was determined to have rested on an incorrect interpretation of the law. This measure is the result of a collaborative effort to authorize various avenues for out-of-state veterinarians to fill the gaps in the State's veterinary needs.

Your Committee has amended this measure by:

- (1) Clarifying that the sponsor responsibilities are applicable to the veterinary medicine laws and rules adopted thereunder, rather than solely applicable to the courtesy and relief permits;
- (2) Specifying that applications fees are nonrefundable;
- (3) Requiring the Director of Commerce and Consumer Affairs to establish all necessary fees by rule;
- (4) Specifying that the courtesy permits and relief permits shall take effect on July 1, 2023;
- (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. 2798, 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. 2798, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

#### **SCRep. 1905-22 Consumer Protection & Commerce on S.B. No. 2986**

The purpose of this measure is to:

- (1) Eliminate or relax certain regulations of commercial hemp production and prohibit the State from requiring inspections or sampling of, or issuing violations or penalties to, hemp producers licensed by the United States Department of Agriculture that are following the United States Department of Agriculture's rules and protocols;
- (2) Amend the conditions under which licensed hemp producers may transport hemp within the State to be processed or to other grow areas;
- (3) Allow licensed hemp producers to sell hemp biomass directly to consumers via online platforms;
- (4) Require the identity statement used for labeling or advertising any hemp product to identify the percentage of Hawaii grown or processed hemp products in all hemp products and, if those products are not from Hawaii, the origin of any hemp product;
- (5) Exempt certain producers of hemp from the requirement that they register with the Department of Health as hemp processors; and
- (6) Extend the sunset date of Act 14, Session Laws of Hawaii 2020, which establishes the state hemp processors and commercial hemp production laws.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, Aina Ho'okupu o Kilauea, 'Ai Pohaku, Hawai'i Farmers Union United, South Maui Gardens, Hawai'i Hemp Farmers Association, Hawaii Hemp Farmers Center, Hawai'i Sustainable Farms, Hawaii Royal Hemp, Maui Venture Consulting LLC, and twelve individuals. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Plumeria Plantation Ag Enterprise LLC, Omaopio Piliwale Ohana, and four individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Health, and one individual.

Your Committee finds that Act 14, Session Laws of Hawaii 2020 (Act 14), established a regulatory framework for the Department of Agriculture to monitor and regulate the cultivation and processing of hemp. However, the hemp industry in the State remains in a nascent stage largely due to overly burdensome regulations established under Act 14. This measure is an attempt to strike a balance between ensuring consumer protection and public safety, while also allowing the hemp industry in the State to operate without unnecessary burdens.

Your Committee has amended this measure by:

- (1) Reinstating the statutory requirement that any transportation of hemp within the State be authorized by the Department of Agriculture;
- (2) Reinstating the statutory language subjecting violations of the commercial hemp production statute or any rules adopted thereunder to a fine of no more than \$10,000, rather than limiting the fine to only persons who grow hemp without a United States Department of Agriculture license;
- (3) Deleting language that:
  - (A) Prohibited the State from conducting inspections or sampling;
  - (B) Prohibited the State from issuing violations or penalties to hemp producers licensed by the United States Department of Agriculture that are following United States Department of Agriculture rules and protocols; and
  - (C) Exempted certain hemp processors from the Department of Health registration requirement;
- (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. 2986, 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. 2986, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (Har, Hashem, Kong).

#### **SCRep. 1906-22 Consumer Protection & Commerce on S.B. No. 2600**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, prohibit the Department of Health from issuing permits for new large capacity underground storage tank systems located mauka of the underground injection control line; and

- (2) Beginning January 1, 2023, prohibit the operation of, and renewal of permits for, all large capacity underground storage tank systems located mauka of the underground injection control line.

Your Committee received testimony in support of this measure from the Department of Health, Department of Land and Natural Resources, Honolulu Board of Water Supply, Hawai'i Alliance for Community-Based Economic Development, 350Hawaii.org, Hawai'i Alliance for Progressive Action, Hawaii's Thousand Friends, Sierra Club of Hawai'i, Livable Hawaii Kai Hui, and five individuals.

Your Committee finds that water is a finite and irreplaceable resource that is fundamental to human well-being and is only renewable if well managed. Your Committee further finds that access to clean and safe drinking water is vital for the State's climate resilience and sustainability. One of the most significant threats to the State's drinking water is large capacity underground storage tank systems and their related plumbing components leaking and contaminating potable drinking water aquifers. This measure reduces the risks posed by large capacity underground storage tank systems to the State's drinking water by phasing out permits for and operations of these systems.

Your Committee has amended this measure by:

- (1) Clarifying that the applicable underground injection control program maps are those established by the Department of Health pursuant to the State Drinking Water Regulations; and
- (2) Making technical, 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. 2600, 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. 2600, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Mizuno).

#### **SCRep. 1907-22 Consumer Protection & Commerce on S.B. No. 2017**

The purpose of this measure is to repeal existing law that limits licensure as an Emergency Medical Technician 1 to individuals whose practice is performed in a county with a population of five hundred thousand or greater.

Your Committee received testimony in support of this measure from the State Fire Council, Hawaii Medical Board, Maui Fire Department, and Honolulu Fire Department.

Your Committee finds that the purpose of Act 119, Session Laws of Hawaii 2021 (Act 119), was to establish a licensure category for emergency medical technicians who only have a National Registry Emergency Medical Technician certification. These emergency medical technicians provide life-saving care with minimal equipment to critical care patients. However, Act 119 limited the new licensure category only to counties with a population of 500,000 or greater, which excluded persons who meet the criteria for licensure in counties with a smaller population. This measure will allow persons who meet the criteria for licensure in such counties to be properly licensed by the Hawaii Medical Board by eliminating the geographic restriction.

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. 2017, 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. 2017, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Mizuno).

#### **SCRep. 1908-22 Consumer Protection & Commerce on S.B. No. 2281**

The purpose of this measure is to:

- (1) Establish interim licensure requirements for school psychologists and require all school psychologists to obtain an interim license from the Board of Psychology by January 1, 2023;
- (2) Amend the composition of the Board of Psychology to include two school psychologists; and
- (3) Require the Board of Psychology and Department of Education to develop a permanent licensing scheme for school psychologists and submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board; Hawaii State Teachers Association; Hui for Excellence in Education; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Association of School Psychologists; Hawai'i Psychological Association; and fifteen individuals. Your Committee received testimony in opposition to this measure from the Board of Psychology and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Education.

Your Committee finds that school psychologists provide effective services to help children and youth with their social-emotional learning needs and can work with parents, educators, and other professionals to create supportive learning and social environments for all children.

Your Committee notes that, in general, the licensure of psychologists in the State has had a complex and complicated history. Your Committee also notes that the licensure of a particular specialty is not typical. Your Committee further notes that, of the forty-nine states that regulate school psychologists, forty-one states conduct the regulation through an educational body or agency, rather than an agency comparable to the Department of Commerce and Consumer Affairs. As such, further consideration must be given to determine whether school psychologists should be regulated and, if so, the appropriate form of any such regulation.

Your Committee has amended this measure by:

- (1) Deleting the provisions that:
  - (A) Established a licensure framework for school psychologists;
  - (B) Amended the composition of the Board of Psychology; and
  - (C) Required the Board of Psychology and Department of Education to develop a permanent licensing scheme for school psychologists;
- (2) Requiring the Auditor to conduct an analysis on:

- (A) The probable effects of the H.D. 1 version of this measure and assess whether the enactment of the H.D. 1 version would be consistent with the policies stated in the Hawaii Regulatory Licensing Reform Act;
- (B) The issues entailed in the definition of school psychologist, description of services delivered by a school psychologist, and mandatory advisement to the Board of Psychology from a private organization; and
- (C) Any alternative forms of regulation, as appropriate;
- (3) Requiring the Auditor to submit a report of the analysis and any recommendations to the Legislature prior to the 2024 Regular Session; 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 S.B. No. 2281, 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. 2281, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Mizuno).

#### **SCRep. 1909-22 Consumer Protection & Commerce on S.B. No. 2384**

The purpose of this measure is to:

- (1) Amend the procurement preference for Hawaii products to only apply to agricultural goods, value-added products, and commodities; and
- (2) Require the Department of Accounting and General Services to provide written notice to offerors listed on the Hawaii products list regarding any amendments to the list, including effective dates and dates of repeal.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, University of Hawai'i System, Department of Budget and Fiscal Services of the City and County of Honolulu, Ulupono Initiative, Hawai'i Farm Bureau, and Hawaii Food+ Policy. Your Committee received comments on this measure from the State Procurement Office.

Your Committee finds that the Hawaii products preference in the Hawaii Public Procurement Code was established to encourage the use of Hawaii products by bidders to support local industries. Your Committee further finds that bid preferences require additional time and resources to review and analyze, complicate and further delay the procurement process, increase chances for protest and complaints, and increase the costs. Eliminating the Hawaii product preference as it applies to public works construction will improve government efficiency in this area of procurement. This measure therefore narrows the scope of the Hawaii products preference to apply only to agricultural goods, value-added products, and commodities.

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. 2384, 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. 2384, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Aquino, Mizuno).

#### **SCRep. 1910-22 Judiciary & Hawaiian Affairs on S.B. No. 665**

The purpose of this measure is to:

- (1) Make intentionally providing false information concerning the name or address of a person paying for a campaign advertisement a class C felony;
- (2) Authorize criminal prosecution for campaign finance law violations in addition to administrative fines;
- (3) Increase from four years to ten years the period during which a person convicted for a criminal violation of campaign finance law is disqualified from holding elective office; and
- (4) Authorize the Attorney General or prosecuting attorney to commence prosecution for campaign finance law violations.

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

Your Committee finds that this measure will promote greater accountability within the election system by increasing the penalties for, and removing barriers to criminal prosecution of, campaign finance law violations.

Your Committee has amended this measure by:

- (1) Clarifying the interaction between certain provisions regarding criminal prosecutions under the campaign finance laws and the new class C felony offense for intentionally providing false information concerning the name or address of a person paying for a campaign advertisement; and
- (2) Making technical, 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. 665, 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. 665, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1911-22 Judiciary & Hawaiian Affairs on S.B. No. 2383**

The purpose of this measure is to:

- (1) Require the Governor, President of the Senate, and Speaker of the House of Representatives to each appoint two members to the State Procurement Policy Board;
- (2) Clarify the experience requirements for members of the State Procurement Policy Board; and
- (3) Repeal the State Procurement Policy Board nominating committee.

Your Committee received testimony in support of this measure from the General Contractors Association of Hawaii. Your Committee received comments on this measure from the State Procurement Office, Honolulu Authority for Rapid Transportation, and Department of Budget and Fiscal Services of the City and County of Honolulu.

Your Committee finds that the State Procurement Policy Board has not held a meeting in nearly three years due to attrition, a lack of applicants for vacancies, and the inability to meet quorum. By the end of the 2022 Regular Session, the only member of the seven-member State Procurement Policy Board will be the Comptroller. This measure restructures the State Procurement Policy Board to address the issue of vacancies on the Board and enable it to fulfill its duties.

Your Committee has amended this measure by:

- (1) Decreasing the number of members on the State Procurement Policy Board from seven to five;
- (2) Amending the appointment and experience requirements for members of the State Procurement Policy Board;
- (3) Subjecting the members of the State Procurement Policy Board to requirements applicable to boards and commissions generally; 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. 2383, 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. 2383, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1912-22 Judiciary & Hawaiian Affairs on S.B. No. 3172**

The purpose of this measure is to:

- (1) Require that, in addition to written minutes, any electronic audio or video recording of a board meeting be kept as a public record, but only one version of any recording must be kept; and
- (2) Remove the requirement that a written summary accompany any minutes that are posted in a digital or analog recording format.

Your Committee received testimony in support of this measure from the Department of Accounting and General Services, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, League of Women Voters of Hawaii, The Outdoor Circle, and seven individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Office of Information Practices.

Your Committee finds that Act 64, Session Laws of Hawaii 2017, authorized recordings accompanied by written summaries as an alternative to written minutes of board meetings. However, there have been instances where the recording provides little information to the public in understanding the context of discussions, such as disorganized, garbled conversations or poor audio. This measure promotes public transparency by removing the authorization to use recordings as substitutes for written minutes.

Your Committee has amended this measure by:

- (1) Deleting language that would have required any electronic audio or video recording of a board meeting to be kept as a public record; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that record retention can be expensive for the State and counties. Your Committee believes that the Legislature should determine which board records should be kept in perpetuity or destroyed.

As 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. 3172, 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. 3172, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11; Ayes with Reservations (LoPresti, Nakamura, Tokioka). Noes, none. Excused, none.

#### **SCRep. 1913-22 Judiciary & Hawaiian Affairs on S.B. No. 3223**

The purpose of this measure is to impose a penalty on both the person and firm upon finding certain violations governing wages and hours of employees on public work projects.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Hawai'i State AFL-CIO; Pride at Work – Hawai'i; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Nurses' Association-OPEIU Local 50; United Public Workers, AFSCME Local 646, AFL-CIO; and Operating Engineers Local Union No. 3. Your Committee received testimony in opposition to this measure from the General Contractors Association of Hawaii.

Your Committee finds that when firms violate the Wages and Hours of Employees on Public Works Law, these actions not only harm the employees who perform their duties, but also detract from the intent of the law, which is to protect the standards of workers on state and county public works construction projects and ensure the payment of prevailing wages and overtime to laborers and mechanics working on projects. This measure would impose progressively increasing penalties on both the person and the firm for repeat violations of the state law, thereby ensuring compliance with the law.

Your Committee has amended this measure by:

- (1) Clarifying that no contract shall be awarded to a person and firm, or to any firm, corporation, partnership, or association in which the person or firm has an interest, whose suspension is extended beyond three years; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes the concerns raised by the General Contractors Association of Hawaii and is aware of ongoing negotiations between the stakeholders to address those concerns. In the spirit of compromise, your Committee is moving this measure forward to allow these negotiations to continue. However, your Committee notes that should your Committee on Conference further deliberate on this measure, that your Committee on Conference examine those concerns.

As 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. 3223, 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. 3223, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1914-22 Judiciary & Hawaiian Affairs on S.B. No. 2002**

The purpose of this measure is to:

- (1) Define "assistance animal" in the context of existing state law that prohibits discrimination in real property transactions;
- (2) Codify the administrative process that allows an owner or other person engaging in a real estate transaction to request that a person claiming a disability provide verification to establish the disability-related need for a specific assistance animal as a reasonable accommodation; and
- (3) Specify that the possession of a vest or other distinguishing animal garment, tag, or registration document that is commonly purchased online and purports to identify an animal as a service animal or assistance animal does not constitute valid verification.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Disability and Communication Access Board, Community Associations Institute Legislative Action Committee, Associa, and Hawai'i Association of REALTORS.

Your Committee finds that persons with disabilities who request reasonable accommodations, including the use of an assistance animal, should be provided equal opportunity to use and enjoy housing accommodations. Your Committee finds that the requirements imposed by this measure strike an appropriate balance between the needs of both parties to a real estate transaction.

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. 2002, 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. 2002, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1915-22 Judiciary & Hawaiian Affairs on S.B. No. 2059**

The purpose of this measure is to designate 'ōhi'a lehua as the state endemic tree.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Aloha Arborist Association, Landscape Industry Council of Hawaii, Coordinating Group on Alien Pest Species, Carol Kwan Consulting LLC, Wild Kids, and numerous individuals.

Your Committee finds that the 'ōhi'a lehua is an endemic plant species in Hawaii with unique cultural, ecological, and economic importance. Your Committee further finds that 'ōhi'a lehua are under increasing threat from environmental pressures such as climate change, invasive species, and a fungal pathogen called rapid 'ōhi'a death, which has killed over one million 'ōhi'a lehua trees on the island of Hawaii alone. Designating 'ōhi'a lehua as the official state endemic tree recognizes the importance of the plant species to the State, which will hopefully lead to effective conservation and growth of healthy 'ōhi'a lehua forests across the Hawaiian islands.

Your Committee has amended this measure by:

- (1) Deleting language that made the 'ōhi'a lehua the state endemic tree effective so long as the Legislature does not otherwise provide; and
- (2) Making technical, 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. 2059, 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. 2059, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1916-22 Judiciary & Hawaiian Affairs on S.B. No. 2118**

The purpose of this measure is to require the driver of a moped to be in immediate possession of a valid driver's license or instruction permit at all times.

Your Committee received testimony in support of this measure from the Department of Transportation and Honolulu Police Department.

Your Committee finds that this measure addresses any confusion or conflict regarding the license possession requirements for moped operators under existing laws and ensures that a person operating a moped is duly licensed by the examiner of drivers.

Your Committee has amended this measure by changing the effective date to January 1, 2022, 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. 2118, 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. 2118, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1917-22 Judiciary & Hawaiian Affairs on S.B. No. 2008**

The purpose of this measure is to:

- (1) Clarify that the State and counties shall not be held jointly and severally liable for acts or omissions of the State or county that occurred before the condemnation of a highway or trail; and
- (2) Allow the State and counties to utilize flexibility in highway design for any condemned highway or trail.



Your Committee received testimony in support of this measure from the Department of Transportation, two members of the Honolulu City Council, one member of Maui County Council, Hawaii Association for Justice, and three individuals.

Your Committee finds that relieving the State and counties of liability for condemned highways and trails significantly reduces the risk when condemning private highways and trails that may not have been well maintained. Your Committee also finds that providing the State and counties with flexibility in the design of condemned private highways and trails will further facilitate the condemnation, maintenance, and improvement of private highways and trails that are in disrepair.

Your Committee has amended this measure by:

- (1) Amending the liability provision to provide that the State and counties may only be held jointly and severally liable for acts or omissions that occurred after the condemnation of a highway or trail;
- (2) Deleting language that allowed the State and counties to utilize flexibility in highway design for any condemned trail; 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. 2008, 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. 2008, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1918-22 Judiciary & Hawaiian Affairs on S.B. No. 2869**

The purpose of this measure is to allow a spouse or former spouse to enforce an order for spousal support or maintenance under the State's attachment and execution, garnishment, or garnishment of government benefits laws, rather than through an assignment made to the clerk of the family court on income due or future income.

Your Committee received testimony in support of this measure from the Health Committee of the Democratic Party of Hawai'i and one individual.

Your Committee finds that this measure will make it easier and faster for spouses and former spouses to receive court-ordered spousal support or maintenance.

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. 2869, 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. 2869, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1919-22 Judiciary & Hawaiian Affairs on S.B. No. 2065**

The purpose of this measure is to prohibit the possession or use on, in, or near state marine waters of unmanned aerial vehicles for the purpose of taking aquatic life, except under the terms and conditions of a permit first obtained by the user from the Department of Land and Natural Resources.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Aha Moku, Malama Pūpūkea-Waimea, and one individual. Your Committee received testimony in opposition to this measure from three individuals.

Your Committee finds that unmanned aerial vehicles, commonly known as drones, enable shore fishers to deploy baited hooks farther offshore and more efficiently than traditional shore fishing methods. This has resulted in increased interactions with protected species, such as monk seals and turtles, and offshore ocean users. By regulating the possession and use of unmanned aerial vehicles on, in, or near state marine waters for fishing, this measure ensures that unmanned aerial vehicles are used in a safe and responsible manner.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that there are concerns that this measure does not establish the permitting process, including the fee, for persons to possess or use unmanned aerial vehicles for the purpose of taking aquatic life. Further reflection on that concern may be warranted as this measure proceeds through 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. 2065, 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. 2065, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (LoPresti, McKelvey, Ward). Noes, 1 (D. Kobayashi). Excused, none.

#### **SCRep. 1920-22 Judiciary & Hawaiian Affairs on S.B. No. 3377**

The purpose of this measure is to:

- (1) Prohibit persons from presetting commercial beach equipment on any public beach under the jurisdiction of the Department of Land and Natural Resources unless the customer is physically present for the immediate use of the commercial beach equipment; and
- (2) Require commercial vendors to expeditiously remove the commercial beach equipment after the customer has finished using it.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawai'i Tourism Authority, and two individuals. Your Committee received testimony in opposition to this measure from Aloha Beach Services. Your Committee received comments on this measure from Waikiki Beach Services, LLC.

Your Committee finds that the lack of a clear definition of "presetting" has allowed issues related to the presetting of commercial beach equipment on public beaches to persist. The Department of Land and Natural Resources has received numerous complaints about the presetting of equipment on Waikiki Beach and dedicated a substantial amount of time to advising commercial operators that presetting is not allowed. The Department's Division of Conservation and Resources Enforcement officers also issued citations to commercial operators who preset equipment; however, those violations were dismissed in court based

on the concessionaire's argument that customers had prior reservations and the equipment was merely being set up in advance of their arrival. This measure will help the Department better address complaints regarding presetting.

Your Committee has amended this measure by changing all references to the term "person" to the term "commercial vendor".

As 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. 3377, 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. 3377, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1921-22 Judiciary & Hawaiian Affairs on S.B. No. 872**

The purpose of this measure is to add the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, as an ex officio, voting member of the Commission on Water Resource Management.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Environmental Caucus of the Democratic Party of Hawai'i, Kekaha Hawaiian Homestead Association, Kahikinui Hawaiian Homestead Association, Pele Lani Farm LLC, Hawai'i Alliance for Progressive Action, and nine individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources and Hawaii State Aha Moku.

Your Committee finds that the Commission on Water Resource Management already includes representation on Native Hawaiian water rights generally. At least one member of the Commission on Water Resource Management must have substantial experience or expertise in traditional Hawaiian water resource management techniques and traditional Hawaiian riparian usage such as those preserved by section 174C-101, Hawaii Revised Statutes, which provides for Native Hawaiian water rights. Furthermore, all members are required to attend the Office of Hawaiian Affairs mandatory training on Native Hawaiian and Hawaiian traditional and customary rights, natural resources and access rights, and the public trust doctrine pursuant to sections 10-41 and 10-42, Hawaii Revised Statutes.

However, your Committee recognizes that the Department of Hawaiian Home Lands has a specific interest in advocating for the protection of adequate reserves of water for current and foreseeable development and use of Hawaiian home lands. Rather than including the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, on the Commission on Water Resource Management as a voting member, which will give the Commission an even number of members for decision making purposes and may lead to issues regarding conflicts of interest, your Committee believes that the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, should be a nonvoting member.

Accordingly, your Committee has amended this measure by:

- (1) Clarifying that all ex officio members of the Commission on Water Resource Management are excluded from the requirement that each member have substantial experience in the area of water resource management;
- (2) Designating the Chairperson of the Hawaiian Homes Commission, or the Chairperson's designee, as a nonvoting member of the Commission on Water Resource Management, rather than a voting member; 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. 872, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 872, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (McKelvey). Noes, 1 (Ward). Excused, none.

#### **SCRep. 1922-22 Judiciary & Hawaiian Affairs on S.B. No. 2777**

The purpose of this measure is to:

- (1) Prohibit male correctional facility employees from:
  - (A) Conducting pat down searches of female inmates unless the inmate presents a risk of immediate harm to self or others or risk of escape and a female correctional facility employee is not available to conduct the search; and
  - (B) Entering areas where female inmates may be in a state of undress for the purpose of conducting a search unless an inmate in the area presents a risk of immediate harm to self or others or if there is a medical emergency in the area; and
- (2) Require pat down searches and entry into prohibited areas by male correctional facility employees under an exception to be documented within three days of the incident, reviewed by the warden, and retained by the institution for reporting purposes.

Your Committee received testimony in support of this measure from the Community Alliance on Prisons, Women's Prison Project, American Civil Liberties Union of Hawai'i, and nine individuals. Your Committee received testimony in opposition to this measure from the Department of Public Safety.

Your Committee finds that allowing male correctional facility employees to conduct pat down searches or view female inmates in a state of undress can be traumatic for female inmates who may have experienced sexual violence or suffer from post-traumatic stress disorder. This measure will help reinforce the importance of protecting female inmates who are especially vulnerable to male sexual exploitation.

Your Committee has amended this measure by:

- (1) Requiring the Department of Public Safety to:
  - (A) Increase its recruitment and training of female adult corrections officers to satisfy the requirements of female gender-specific posts;
  - (B) Make every effort within the law to address the concerns of the advocates, requirements of the federal Prison Rape Elimination Act of 2003, and staffing shortages of female gender-specific posts, as well as the hiring and training of female adult corrections officers; and
  - (C) Submit a report of its efforts in recruiting, hiring, and training female adult corrections officers to the Legislature no later than twenty days prior to the convening of the Regular Session of 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2777, 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. 2777, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1923-22 Judiciary & Hawaiian Affairs on S.B. No. 2091**

The purpose of this measure is to establish a comprehensive application process for executive pardons.

Your Committee received testimony in support of this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the County of Maui, Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Hawai'i, Mothers Against Drunk Driving Hawaii Advisory Board, Hawai'i State Coalition Against Domestic Violence, Statewide Automated Victim Notification System Governance Committee, The Sex Abuse Treatment Center, and five individuals. Your Committee received testimony in opposition to this measure from the Hawaii Paroling Authority, American Civil Liberties Union of Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Public Safety.

Your Committee finds that county prosecutors and crime victims in Hawaii do not receive advance notice of applications for executive pardons. Your Committee further finds that this measure will allow prosecutors and victims to provide input for the Governor's consideration.

Your Committee has amended this measure by:

- (1) Specifying that the Hawaii Paroling Authority shall determine the relevant documents that applicants must submit for investigation to commence; and
- (2) Making technical, 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. 2091, 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. 2091, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1924-22 Judiciary & Hawaiian Affairs on S.B. No. 3087**

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

Your Committee received testimony in support of this measure from the Department of Defense and Hawai'i Emergency Management Agency.

Your Committee finds that the Emergency Management Assistance Compact, currently codified under chapter 128F, Hawaii Revised Statutes, should be moved into the emergency management series of the Hawaii Revised Statutes to provide concise, logical organization to the emergency management laws of the State.

Your Committee has amended this measure by:

- (1) Inserting a preamble;
- (2) Clarifying that for the purposes of the Emergency Management Assistance Compact, the Adjutant General is the State's legally designated state official who is assigned responsibility for emergency management and authorized representative who may request assistance of another party 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3087, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3087, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1925-22 Judiciary & Hawaiian Affairs on S.B. No. 3089**

The purpose of this measure is to:

- (1) Prohibit the Governor or mayor from suspending requests for public records or vital statistics records during an emergency;
- (2) Allow for a reasonable delay in a department's or agency's response to a request for records as a result of extenuating circumstances;
- (3) Clarify that powers granted for emergency purposes shall not be inconsistent with the state constitution;
- (4) Provide parameters for the duration of the suspension of laws and require justification for the suspension;
- (5) Authorize the Governor to require counties to obtain the approval of the Governor or Director of the Hawaii Emergency Management Agency before issuing any emergency order, rule, or proclamation;
- (6) Clarify the legal framework governing the extension and termination of emergency periods;
- (7) Authorize the Legislature to terminate a state of emergency, in part or in whole, by an affirmative two-thirds vote; and
- (8) Specify when certain prohibitions during an emergency or a severe warning expire.

Your Committee received testimony in support of this measure from the Department of Human Services; Department of Defense; Hawai'i Emergency Management Agency; State of Hawaii Organization of Police Officers; Society of Professional Journalists Hawaii Chapter; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; United Public Workers, AFSCME Local 646, AFL-CIO; and three individuals. Your Committee received comments on this measure from the Office of Information Practices, League of Women Voters, Civil Beat Law Center for the Public Interest, Common Cause Hawaii, Chamber of Commerce Hawaii, Grassroot Institute of Hawaii, and two individuals.

Your Committee finds that it has been two years since the Governor issued the first emergency proclamation declaring a state of emergency to support ongoing State and county responses to coronavirus disease 2019 (COVID-19). Your Committee further finds that the dire impacts of the COVID-19 pandemic on all aspects of everyday life, as well as the economic, social, and health disruptions caused by the pandemic, were unprecedented and necessitated certain

emergency actions to deal with the pandemic. However, your Committee believes that the broad emergency powers of the Governor during a state of emergency and extended emergency period warrant scrutiny. This measure will ensure that there are checks and balances in place during a state of emergency to protect the health, safety, and welfare of residents.

Your Committee has amended this measure by:

- (1) Deleting language that:
  - (A) Prohibited the Governor or mayor from suspending requests for public records or vital statistics records during an emergency; and
  - (B) Allowed for a reasonable delay in a department's or agency's response to a request as a result of extenuating circumstances;
- (2) Authorizing the county councils to terminate a local state of emergency, in part or in whole, by an affirmative two-thirds vote;
- (3) Clarifying that the Governor and mayors may re-declare a state of emergency or local state of emergency, as applicable, that has been terminated; 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. 3089, 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. 3089, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1926-22 Judiciary & Hawaiian Affairs on S.B. No. 2032**

The purpose of this measure is to protect the privacy and confidentiality of genetic data of consumers who use the products or services of direct-to-consumer genetic testing companies by requiring these companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Department of Commerce and Consumer Affairs' Office of Consumer Protection. Your Committee received testimony in opposition to this measure from the Coalition for Genetic Data Protection and Advanced Medical Technology Association.

Your Committee finds that the popularity and use of direct-to-consumer genetic tests is growing exponentially. Your Committee further finds that existing state law fails to provide adequate guidelines for use of genetic data collected. This measure safeguards the privacy, confidentiality, security, and integrity of a consumer's genetic data by requiring direct-to-consumer genetic testing companies to provide clear disclosures and obtain express consent for certain actions.

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. 2032, 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. 2032, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1927-22 Judiciary & Hawaiian Affairs on S.B. No. 3141**

The purpose of this measure is to update the Uniform Controlled Substances Act to make it consistent with the federal Controlled Substances Act.

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

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 S.B. No. 3141, 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. 3141, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (D. Kobayashi, Tokioka).

#### **SCRep. 1928-22 Judiciary & Hawaiian Affairs on S.B. No. 2279**

The purpose of this measure is to:

- (1) Establish provisions to regulate the purchase of catalytic converters by used motor vehicle parts dealers and palladium, platinum, and rhodium by scrap dealers and recyclers;
- (2) Subject persons who violate certain provisions of the used motor vehicle parts and accessories law and scrap dealer law to a class C felony;
- (3) Establish the class C felony offense of theft of catalytic converter; and
- (4) Require each county police department to maintain a database of certain reported information and initiate education programs to encourage its residents to take measures to prevent catalytic converter thefts.

Your Committee received testimony in support of this measure from the Department of Transportation, one member of the Maui County Council, Honolulu Police Department, Department of the Prosecuting Attorney of the County of Maui, Hawaii Insurers Council, American Property Casualty Insurance Association of America, National Insurance Crime Bureau, AAA Hawaii, Stolen Stuff Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, 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) Amending the exemption from the requirements for catalytic converter purchases by motor vehicle repair dealers; and
- (2) Making technical, 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. 2279, 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. 2279, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, none.

#### **SCRep. 1929-22 Finance on S.B. No. 2621**

The purpose of this measure is to appropriate funds to control the spread of bovine tuberculosis among livestock and feral ungulates on Molokai, including the associated expenses for staff, land acquisition, and equipment.

Your Committee received testimony in support of this measure from one member of the Maui County Council; Hawaii Cattlemen's Council, Inc.; Hawai'i Farm Bureau; Ulupalakua Ranch; Kaupo Ranch Ltd.; and five individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 2621, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2621, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1930-22 Finance on S.B. No. 2946**

The purpose of this measure is to appropriate funds to the Department of Agriculture to maintain and improve the Peekauai Ditch Irrigation System, also known as Menehune Ditch, on the island of Kauai.

Your Committee received testimony in support of this measure from the Office of Economic Development of the County of Kauai; Larry Jeffs Farms, LLC; Hawai'i Farm Bureau; Kekaha Agriculture Association; Hawaii Cattlemen's Council, Inc.; Land Use Research Foundation of Hawaii; Ulupono Initiative; Local Food Coalition; and eight individuals. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 2946, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2946, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1931-22 Finance 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 expanded operation of its coffee farm and mill in Puukolii, Maui.

Your Committee received testimony in support of this measure from the Department of Agriculture; Maui Chamber of Commerce; Hawai'i Farm Bureau; Hawaii Coffee Association; MauiGrown Coffee, Inc.; 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) Extending the authorization to issue special purpose revenue bonds to assist MauiGrown Coffee, Inc., to an unspecified date; 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. 1297, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1297, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1932-22 Finance on S.B. No. 2480**

The purpose of this measure is to:

- (1) Authorize the Department of Agriculture, Agribusiness Development Corporation, and Department of Land and Natural Resources to acquire the Wahiawa irrigation system, on terms negotiated and agreed upon by the Office of the Governor, and the associated spillway; and
- (2) Appropriate:
  - (A) \$21,000,000 for the Department of Agriculture to repair and expand the spillway associated with the Wahiawa irrigation system and bring the spillway into compliance with relevant dam safety requirements;
  - (B) \$5,000,000 for the Department of Agriculture to acquire a fee simple interest in the spillway associated with the Wahiawa irrigation system;

(C) \$800,000 for the Agribusiness Development Corporation to manage and maintain its acquired portion of the Wahiawa irrigation system; and

(D) \$1,500,000 for the Department of Land and Natural Resources to manage and maintain its acquired portion of the Wahiawa irrigation system, including the creation of four full-time equivalent (4.0 FTE) positions for this purpose.

Your Committee received testimony in support of this measure from the Hawai'i 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, Department of Budget and Finance, Department of Land and Natural Resources, Agribusiness Development Corporation, and Dole Food Company Hawaii.

Your Committee has amended this measure by changing the appropriation amounts to blank 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. 2480, 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. 2480, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1933-22 Finance on S.B. No. 2907**

The purpose of this measure is to require the Hawaii Invasive Species Council to amend its administrative rules to classify coffee leaf rust as an invasive species and expend any available funds for mitigation efforts, research, and prevention or control actions for coffee leaf rust.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, Hawai'i Farm Bureau, and Hawaii Coffee Growers Association. Your Committee received comments on this measure from the University of Hawai'i System, Department of Land and Natural Resources, and Department of Agriculture.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 2907, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2907, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1934-22 Finance on S.B. No. 2960**

The purpose of this measure is to require and appropriate funds for the Department of Agriculture to partner with the agricultural community to establish and implement a food safety certification training program to help small- and medium-sized farms comply with the FDA Food Safety Modernization Act by obtaining Good Agricultural Practices or equivalent certification.

Your Committee received testimony in support of this measure from the Department of Research and Development of the County of Hawaii; North Shore Economic Vitality Partnership; Kauai Women's Caucus; Hawai'i Farm Bureau; Kekaha Agriculture Association; New Island Feed, Inc. dba New Island Farm Solutions; Hawaii Cattlemen's Council, Inc.; Hawaii Food Industry Association; Ulupono Initiative; Hawaii Fish Company Inc.; and ten individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2022, and deleting the proviso relating to the effective date for section 3; and
- (2) Making technical, 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. 2960, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2960, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1935-22 Finance on S.B. No. 2989**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a Healthy Soils Program;
- (2) Establish a Healthy Soils Program Special Fund; and
- (3) Appropriate general funds into and out of the Healthy Soils Program Special Fund for the establishment of the Healthy Soils Program and to issue awards and other financial incentives under the program.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council; Hawaii Cattlemen's Council, Inc.; Kauai Women's Caucus; Climate Protectors Hawai'i; Hawai'i Farmers Union United; Hawaii Association for Marine Education and Research; Hawai'i Alliance for Progressive Action; Hawai'i Farm Bureau; 350Hawaii.org; and eighteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Agriculture.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2989, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2989, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1936-22 Finance on S.B. No. 2996**

The purpose of this measure is to appropriate funds for research, extension, and control of the little fire ant and other harmful ant species.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii Pest Control Association, Hawai'i Farm Bureau, Coordinating Group on Alien Pest Species, Hawai'i Association of REALTORS, MacFarms of Hawaii 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:

- (1) Changing the effective date to July 1, 2022, 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. 2996, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2996, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1937-22 Finance on S.B. No. 2214**

The purpose of this measure is to require and fund the Board of Education, through the State Librarian, to establish a digital literacy program to promote digital literacy through programmatic activities, including making digital technology accessible to individuals with disabilities.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii State Public Library System; Chamber of Commerce Hawaii; HawaiiKidsCAN; Hawai'i Pacific Health; Broadband Hui; Maui Chamber of Commerce; and three individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2214, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2214, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1938-22 Finance on S.B. No. 2821**

The purpose of this measure is to:

- (1) Require the Department of Education and State Public Charter School Commission to provide menstrual products to all students, free of charge, on all public school and public charter school campuses; and
- (2) Appropriate funds to provide the menstrual products.

Your Committee received testimony in support of this measure from the Department of Taxation, Hawai'i State Commission on the Status of Women, State Public Charter School Commission, Stonewall Caucus of the Democratic Party of Hawai'i, Common Cause Hawaii, Rainbow Family 808, Hawai'i Children's Action Network Speaks!, American Association of University Women of Hawaii, Planned Parenthood Alliance Advocates - Hawai'i, Hawaii Youth Services Network, Ho'ola Lahui Hawaii, HawaiiKidsCAN, Papa Ola Lōkahi, Hawaii State Teachers Association, Community Alliance on Prisons, Democratic Party of Hawai'i Education Caucus, Hawaii Women Lawyers, Ma'i Movement Hawai'i, Hawai'i Section of the American College of Obstetricians and Gynecologists, The 'Ilima Intermediate School Activist Club, Rainbow Royales Gender Sexuality Alliance Club, Kamehameha Schools, Hawai'i Health & Harm Reduction Center, Hawai'i Self-Advocacy Advisory Council, Save Medicaid Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, 'Ahahui o na Kauka - Association of Native Hawaiian Physicians, Hawai'i Public Health Institute, Breastfeeding Hawaii, Hawai'i Diaper Bank, Hawai'i Women's Coalition, Parents And Children Together, American Civil Liberties Union of Hawai'i, Alliance for Period Supplies, and numerous individuals. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, Department of Human Services, and Pono Hawai'i Initiative.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2821, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2821, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Nishimoto, McDermott).

**SCRep. 1939-22 Finance on S.B. No. 2826**

The purpose of this measure is to establish and fund career development success programs to provide financial incentives for participating Department of Education and public charter schools to encourage ninth to twelfth grade students to complete qualified industry-credential programs.

Your Committee received testimony in support of this measure from the Hawai'i Technology Development Corporation, State Public Charter School Commission, Chamber of Commerce Hawaii, Society of Human Resource Management Hawaii, HawaiiKidsCAN, Special Education Advisory Council, and two individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Education.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2826, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2826, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1940-22 Finance on S.B. No. 2186**

The purpose of this measure is to:

- (1) Direct the conveyance of certain lands used for public schools and owned by the counties of Kauai and Maui, the State, and the Department of Land and Natural Resources to the Department of Education;
- (2) Require legislative approval prior to the sale, gift, or alienation of the fee simple title to lands owned by the Department of Education; and
- (3) Appropriate funds to the Department of Education to effectuate the transfer of the lands and to manage the real property.

Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, and 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. 2186, 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 (Perruso, McDermott).

**SCRep. 1941-22 Finance on S.B. No. 2816**

The purpose of this measure is to:

- (1) Require the Department of Education to establish and administer the Strong Students Grant Pilot Program (Pilot Program) to provide grants for eligible education expenses to eligible public school students; and
- (2) Require the Department of Education to submit progress reports on the Pilot Program to the Legislature; and
- (3) Appropriate funds for the Pilot Program.

Your Committee received testimony in support of this measure from the State Public Charter School Commission; HawaiiKidsCAN; YMCA of Honolulu; Computational Thinkers, Inc.; and three individuals. Your Committee received testimony in opposition to this measure from the Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Education, Department of Budget and Finance, and Purple Mai'a 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 S.B. No. 2816, 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 (Marten, Tam). Noes, none. Excused, 2 (Perruso, McDermott).

**SCRep. 1942-22 Finance on S.B. No. 2823**

The purpose of this measure is to establish and appropriate funds for a Nationally Certified School Psychologist Incentive Program within the Department of Education.

Your Committee received testimony in support of this measure from the Hui for Excellence in Education; Hawaii State Teachers Association; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Hawai'i Association of School Psychologists; and eighteen individuals. Your Committee received testimony in opposition to this measure from the Office of Collective Bargaining and one individual. Your Committee received comments on this measure from the Department of Budget and Finance 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 S.B. No. 2823, 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 (Perruso, McDermott).

**SCRep. 1943-22 Finance on S.B. No. 2893**

The purpose of this measure is to establish and appropriate funds for a one-year pilot program to subsidize the purchase of school supplies at schools composed entirely of students eligible for participation in Title I, Part A, of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act.

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 Budget and Finance 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 S.B. No. 2893, 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 (Perruso, McDermott).

**SCRep. 1944-22 Finance on S.B. No. 3090**

The purpose of this measure is to provide greater fiscal transparency by broadening the purposes for which indirect costs from federal grants incurred by the Department of Education, State Public Charter School Commission, or a charter school authorizer may be reimbursed.

Your Committee received testimony in support of 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. 3090, 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. 1945-22 Finance on S.B. No. 3091**

The purpose of this measure is to:

- (1) Include commercial enterprises in profit-making operations that students may engage in at schools;
- (2) Clarify that profits from agricultural, industrial, and commercial enterprise pursuits can be used to support the agricultural, industrial, and commercial enterprise pursuit programs directly; and
- (3) Allow students to receive school credit in addition to, or in lieu of, any net profits when engaging in profit-making operations.

Your Committee received testimony in support of 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. 3091, 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. 1946-22 Finance on S.B. No. 2766**

The purpose of this measure is to require the Office of Planning and Sustainable Development to perform a study to assess the rural district framework within the land use law and make recommendations for revisions to rural district policies and permissible uses within the rural district, including a legal analysis of regulatory issues and safeguards that must be addressed to facilitate the reclassification of lands from the agricultural district to the rural district.

Your Committee received testimony in support of this measure from the Department of Agriculture, Hawai'i Farm Bureau, and one individual. Your Committee received testimony in opposition to this measure from the Land Use Commission and one individual. Your Committee received comments on this measure from the Department of Budget and Finance, Office of Planning and Sustainable Development, and Land Use Research Foundation of Hawaii.

Your Committee has amended this measure by changing the effective date to July 1, 2022, 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. 2766, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2766, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 12; Ayes with Reservations (Tam, Wildberger). Noes, 1 (Perruso). Excused, 2 (Eli, McDermott).

**SCRep. 1947-22 Finance on S.B. No. 3027**

The purpose of this measure is to include in the State's policies for the physical environment under the Hawaii State Planning Act the development of a statewide beach assessment study and a beach and shoreline restoration and conservation plan to regularly assess beach and shoreline erosion and develop feasible beach and shoreline restoration or conservation options.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, University of Hawai'i Sea Grant College Program and Climate Resiliency Initiative, and Hawai'i Tourism Authority.

Your Committee has amended this measure by:

- (1) Inserting an appropriation of an unspecified amount for the Office of Planning and Sustainable Development to develop the statewide beach assessment study and beach and shoreline restoration and conservation plan; and
- (2) Making technical, 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. 3027, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3027, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

**SCRep. 1948-22 Finance on S.B. No. 3298**

The purpose of this measure is to establish a working group to determine potential locations and requirements for a shooting facility on the island of Hawaii and to appropriate funds for the shooting facility if the County of Hawaii provides matching funds.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii County Game Management Advisory Commission, Hawaii Firearms Coalition, and eleven individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 3298, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3298, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 13. Noes, none. Excused, 2 (Eli, McDermott).

**SCRep. 1949-22 Finance on S.B. No. 2764**

The purpose of this measure is to expand exclusions from the definition of "development" as it applies to special management areas to reduce the need for special management area permits for certain activities.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Department of Transportation, Department of Planning and Permitting of the City and County of Honolulu, Department of Planning of the County of Maui, Hawai'i State Association of Counties, 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 Planning and Sustainable Development, Hawai'i Alliance for Progressive Action, and eight individuals.

Your Committee has amended this measure by:

- (1) Specifically excluding traditional and customary practices, including the use of land for all traditional fishpond and agricultural practices and work conducted by traditional means near, in, or related to loko i'a, from the definition of "development";
- (2) Making it effective 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 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. 2764, 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. 2764, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Wildberger, McDermott).

**SCRep. 1950-22 Finance on S.B. No. 2752**

The purpose of this measure is to:

- (1) Establish an income tax credit for taxpayers who are required to seal abandoned wells on their real property;
- (2) Require an owner of an abandoned well to repair or seal the well at the owner's expense;
- (3) Require an owner of real property with an abandoned well to provide notice of the well to the Commission on Water Resource Management under certain circumstances; and
- (4) Appropriate funds for three full-time equivalent (3.0 FTE) positions under the Commission on Water Resource Management.

Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, 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. 2752, S.D. 2, 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. 1951-22 Finance on S.B. No. 2076**

The purpose of this measure is to:

- (1) Establish the Hawaii Broadband Infrastructure Authority;
- (2) Clarify the Hawaii Broadband and Digital Equity Office's role relating to broadband access and digital equity, including repealing the responsibility of the Office to promote the landing of trans-Pacific submarine cable; and
- (3) Appropriate federal and state funds.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services; Disability and Communication Access Board; State Council on Mental Health; State Council on Developmental Disabilities; Common Cause Hawaii; Ocean Networks, Inc.; League of Women Voters of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Budget and Finance; Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Department of Transportation; University of Hawai'i System; Hawaiian Telcom; Maui Chamber of Commerce; and one individual.

Your Committee has amended this measure by:

- (1) Removing its substantive provisions;
- (2) Requiring the University of Hawaii and Hawaii Broadband and Digital Equity Office to convene a working group to determine the appropriate governance structure to implement, operate, and maintain broadband infrastructure development in the State;
- (3) Removing the appropriation of federal funds;
- (4) Changing the expending agency and purpose of the general fund appropriation to the University of Hawaii and the administration of the working group, respectively; 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 S.B. No. 2076, 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. 2076, S.D. 2, H.D. 3.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1952-22 Finance on S.B. No. 2806**

The purpose of this measure is to appropriate funds to the Hawaii Technology Development Corporation for the Hawaii Small Business Innovation Research Program.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawai'i Technology Development Corporation; Makai Ocean Engineering, Inc.; Hyperspective; HIplan; IL Gelato Hawaii; Chamber of Commerce Hawaii; KAI Hawaii, Inc.; Ocean Era, Inc.; Nalu Scientific, LLC; Premier Solutions HI, LLC; Hawaii Fish Company; VisSidus Technologies, Inc.; Hawaii Food Industry Association; Maui Chamber of Commerce; and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Oceanit.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 2806, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2806, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 1953-22 Finance on S.B. No. 3046**

The purpose of this measure is to make an emergency appropriation to the Department of the Attorney General for use in major litigation involving the State.

Your Committee received testimony in support of this measure from the Department of the Attorney General. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$4,000,000 for fiscal year 2021-2022; 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. 3046, 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. 3046, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

**SCRep. 1954-22 Finance on S.B. No. 3357**

The purpose of this measure is to require certain departments and agencies to provide grants to tax-exempt nonprofit organizations that have experience and expertise in supporting and advancing Native Hawaiian communities.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority, The Friends of Iolani Palace, Council for Native Hawaiian Advancement, Ko'olau Foundation, and Kua'aina Ulu 'Auamo. 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 Budget and Finance; Department of Business, Economic Development, and Tourism; Department of Land and Natural Resources; and Department of Agriculture.

Your Committee has amended this measure by:

- (1) Changing the amounts appropriated to certain departments and agencies 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. 3357, 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. 3357, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

**SCRep. 1955-22 Finance on S.B. No. 3311**

The purpose of this measure is to:

- (1) Establish long-term goals for zero emissions transportation in the State and abroad to reduce and eliminate transportation emissions;
- (2) Establish an Interisland Transportation Working Group to develop plans and recommendations for achieving zero emissions interisland transportation and submit annual reports to the Legislature on its actions and progress; and
- (3) Require the Department of Transportation and Hawaii State Energy Office to prepare for and incentivize the increased adoption of electric vehicles in the State.

Your Committee received testimony in support of this measure from the Kauai Women's Caucus, Council for Native Hawaiian Advancement, Hawaii Think Tank, Regent Craft Inc., Mokulele Airlines, Blue Planet Foundation, Energy and Climate Change Committee of the Environmental Caucus of the Democratic Party of Hawai'i, Alliance for Automotive Innovation, and eleven individuals. Your Committee received comments on this measure from the Department of Transportation, Hawaii State Energy Office, Hawaii Electric Vehicle Association, Big Island Electric Vehicle Association, KauaiEV, Ulupono Initiative, Hawaiian Airlines, Airlines for America, Hawaii Automobile Dealers' Association, and three individuals.

Your Committee has amended this measure by:

- (1) Expanding the Interisland Transportation Working Group membership to include:
  - (A) The mayors of each county;
  - (B) Representatives from the airline and cruise line industries;
  - (C) A representative from an entity involved in developing sustainable transportation solutions; and

- (D) A representative from the Honolulu Harbor Users Group;
- (2) Establishing an Electric Vehicle Sales Growth Working Group to develop plans and submit a report to the Legislature to ensure that the State's electric charging capacity is sufficient to support the growing use of electric vehicles;
  - (3) Removing the provisions that would have required the Department of Transportation and Hawaii State Energy Office to prepare for and incentivize the increased adoption of electric vehicles in the State;
  - (4) Making it effective 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 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. 3311, 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. 3311, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 1956-22 Finance on S.B. No. 2457**

The purpose of this measure is to appropriate funds to the Department of Labor and Industrial Relations, Office of Community Services, to restore funding for immigrant resource centers with an outreach component.

Your Committee received testimony in support of this measure from the Office of Community Services, Hawaii Friends of Civil Rights, Hawai'i Coalition for Immigrant Rights, Catholic Charities Hawai'i, The Legal Clinic, Americans for Democratic Action Hawai'i, Common Cause Hawaii, Health Committee of the Democratic Party of Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations, Department of Human Services, and 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. 2457, 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. 1957-22 Finance on S.B. No. 2478**

The purpose of this measure is to reinstate the renewable fuels production tax credit, with certain modifications.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Biotechnology Innovation Organization, Hawai'i Farm Bureau, Hawai'i Gas, Par Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from the Civil Beat Law Center for the Public Interest. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Taxation, Pet Food Institute, Tax Foundation of Hawaii, Climate Protectors Hawai'i, Hawaii Clean Power Alliance, and numerous individuals.

Your Committee has amended this measure by:

- (1) Inserting a blank amount for the total amount of tax credits that may claimed for all eligible taxpayers in any given calendar 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2478, 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. 2478, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 15; Ayes with Reservations (B. Kobayashi, Perruso, Tam). Noes, none. Excused, none.

#### **SCRep. 1958-22 Finance on S.B. No. 2511**

The purpose of this measure is to:

- (1) Expand the renewable energy technologies income tax credit to include firm renewable energy systems, with the credit capped at the lesser of a percentage of the actual cost or \$750,000 per system; and
- (2) Make the renewable energy technologies income tax credit unavailable for renewable energy technology systems installed and placed in service after December 31, 2045.

Your Committee received testimony in support of this measure from Sustainable Energy Hawaii, Hawai'i Farm Bureau, Par Hawaii, and four individuals. Your Committee received testimony in opposition to this measure from the Department of Taxation, Recycle Hawaii and Clean the Pacific, Hawaii Forest Stewards, 350Hawaii.org, and thirteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Hawaii State Energy Office, Hawaiian Electric Company, Tax Foundation of Hawaii, Climate Protectors Hawai'i, Hawaii Clean Power Alliance, and numerous individuals.

Your Committee has amended this measure by:

- (1) Changing the cap on the total amount of tax credits that may be claimed for each firm renewable energy system to an unspecified amount; 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. 2511, 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. 2511, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 15; Ayes with Reservations (B. Kobayashi, Perruso, Tam). Noes, none. Excused, none.

#### **SCRep. 1959-22 Finance on S.B. No. 2283**

The purpose of this measure is to require the Hawaii Natural Energy Institute to:

- (1) Conduct a study to examine the potential for renewable hydrogen production and use in the State and the potential role renewable hydrogen could play in the State energy system and economy; and
- (2) Submit a report of its findings and recommendations, including any proposed legislation, from the study to the Legislature prior to the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Ulupono Initiative, Servco, Hawaii Hydrogen Alliance, Hawai'i Gas, Hawaii Automobile Dealers' Association, Alliance for Automotive Innovation, and three individuals. Your Committee received comments on this measure from the Hawai'i State Energy Office, Hawai'i Natural Energy Institute, 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 S.B. No. 2283, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1960-22 Finance on S.B. No. 2290**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of personal care products in the State, except non-prescription drugs, that contain plastic microbeads;
- (3) Beginning July 1, 2023, ban the manufacture of non-prescription drug products in the State that contain plastic microbeads;
- (4) Beginning July 1, 2024, ban the sale or offer for sale of non-prescription drugs in the State that contain plastic microbeads; and
- (5) Provide exemptions for rinse-off cosmetics.

Your Committee received testimony in support of this measure from Animal Rights Hawai'i, Beach Environmental Awareness Campaign Hawai'i, Hawai'i Reef and Ocean Coalition, Recycle Hawaii and Clean the Pacific, Pacific Whale Foundation, Center for Biological Diversity, 350Hawaii.org, Environmental Caucus of the Democratic Party of Hawai'i, and twelve individuals. Your Committee received testimony in opposition to this measure from the Retail Merchants of Hawaii, Hawaii Food Industry Association, Personal Care Products Council, and Consumer Healthcare Products Association. 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2290, 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. 1961-22 Finance on S.B. No. 2510**

The purpose of this measure is to amend the Hawaii State Planning Act to give consideration to:

- (1) Reducing reliance on energy imports;
- (2) Ensuring that all new utility scale electricity generation projects are renewable;
- (3) Balancing of grid resources, including firm renewable energy resources, to achieve certain goals and targets;
- (4) Ensuring reliable replacement of fossil fuel generation with balanced grid resources;
- (5) Prohibiting fossil fuel generation after December 31, 2045, except in certain circumstances; and
- (6) Expanding vocational training in renewable energy and related industries.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, Sustainable Energy Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from the Environmental Caucus of the Democratic Party of Hawai'i, Progressive Democrats of Hawaii, Hawaii Forest Stewards, Climate Protectors Hawai'i, 350Hawaii.org, and nineteen individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawai'i Natural Energy Institute of the University of Hawai'i at Mānoa, Office of Planning and Sustainable Development, Ulupono Initiative, Hawaiian Electric Company, Hawaii Clean Power Alliance, and numerous 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. 2510, 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 (Perruso). Noes, 1 (McDermott). Excused, none.

#### **SCRep. 1962-22 Finance on S.B. No. 2865**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in the construction of a net-zero carbon capture storage utilization platform that will recover vented carbon dioxide emissions and scrub and liquify the emissions into food-grade liquid carbon dioxide.

Your Committee received testimony in support of this measure from the Hawai'i State Energy Office; HLM Hawai'i, Inc.; Environmental Caucus of the Democratic Party of Hawai'i; Eco4Life LLC; DIBSHawaii LLC; Ohana Hui Ventures, Inc; Friends of Waimanalo; and seven individuals. 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. 2865, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1963-22 Finance on S.B. No. 3004**

The purpose of this measure is to permanently establish and appropriate funds for a Compost Reimbursement Program and Compost Reimbursement Program Manager position within the Department of Agriculture.

Your Committee received testimony in support of this measure from the Hawaii Cattlemen's Council, Inc.; Hawai'i Farmers Union United; Climate Protectors Hawai'i; Environmental Caucus of the Democratic Party of Hawai'i; 350Hawaii.org; Hawai'i Farm Bureau; Hawai'i Alliance for Progressive Action; Kauai Women's Caucus; and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture and 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. 3004, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1964-22 Finance on S.B. No. 3019**

The purpose of this measure is to require and appropriate funds for the Department of Land and Natural Resources to seek and obtain accreditation for the Conservation and Resources Enforcement Program from the Commission on Accreditation for Law Enforcement Agencies, Inc., by June 30, 2025.

Your Committee received testimony in support of this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; and two individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and 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. 3019, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1965-22 Finance on S.B. No. 2070**

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist the Hawaiian Legacy Reforestation Initiative, LLC, to generate a sustainable model of endemic reforestation, ecosystem revitalization, endangered species recovery, and carbon credit sequestering.

Your Committee received testimony in support of this measure from Wilkinson Koa Furniture, Ponsse Plc, Damien Memorial School, The Kahala Hotel & Resort, Hawai'i Convention Center, and four individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Office of Planning and Sustainable Development.

Your Committee has amended this measure by changing the effective date to July 1, 2022.

As affirmed by the record of votes of 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. 2070, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2070, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, 1 (McDermott). Excused, none.

#### **SCRep. 1966-22 Finance on S.B. No. 2612**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a one-year reusable utensil pilot project at Department of Education schools on Molokai; and
- (2) Require the Department of Education to submit interim and final reports to the Legislature on the feasibility of statewide implementation of a reusable utensil program.

Your Committee received testimony in support of this measure from the Kualapuu Public Conversion Charter School, Beach Environmental Awareness Campaign Hawai'i, and one individual. Your Committee received comments on this measure from the Department of Education and Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2612, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2612, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1967-22 Finance on S.B. No. 2720**

The purpose of this measure is to:

- (1) Allow for new or upgraded electric vehicle charging stations having a single port to qualify for a rebate under the Electric Vehicle Charging Station Rebate Program;
- (2) Eliminate the annual cap on the rebate but subject rebates to the availability of funds;
- (3) Increase flexibility of the Public Utilities Commission to administer the Rebate Program;
- (4) Increase the maximum percentage of Rebate Program appropriations that may be expended for administrative costs;
- (5) Allow for marketing and outreach expenses to be included within allowable administration costs of the Rebate Program; and
- (6) Appropriate funds out of the Electric Vehicle Charging System subaccount for the Rebate Program.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Department of Design and Construction of the City and County of Honolulu, Hawaiian Electric Company, Blue Planet Foundation, Uluopono Initiative, Climate Protectors Hawai'i, 350Hawaii.org, Building Owners and Managers Association of Hawai'i, Hawaii Automobile Dealers' Association, Tesla, Hawaii Electric Vehicle Association, Big Island Electric Vehicle Association, Alliance for Automotive Innovation, Aloha Charge, Kauai Women's Caucus, and fifteen individuals. Your Committee received comments on this measure from the Public Utilities Commission; Office of Climate Change, Sustainability and Resiliency of the City and County of Honolulu; and Hawai'i Energy.

Your Committee has amended this measure by:

- (1) Changing the rebate amounts for new or upgraded electric vehicle charging stations having a single port to unspecified amounts;
- (2) Changing the maximum percentage of Electric Vehicle Charging Station Rebate Program appropriations that may be expended for administrative costs to an unspecified amount;
- (3) Changing the amounts appropriated out of the Electric Vehicle Charging System subaccount to unspecified amounts; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2720, 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. 2720, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1968-22 Finance on S.B. No. 3229**

The purpose of this measure is to:

- (1) Cap the amount of royalties from geothermal resources that are to be paid to the State and to the county in which the geothermal resources are located;
- (2) Deposit geothermal royalties that are distributed to the University of Hawaii into the University Innovation and Commercialization Initiative Special Fund, to be expended by the Hawaii Institute of Geophysics and Planetology, to further the discovery and development of geothermal resources; and
- (3) Require the entities that received geothermal royalties to submit an annual report to the Legislature.

Your Committee received testimony in support of this measure from the University of Hawai'i System, Sustainable Energy Hawaii, and three individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee has amended this measure by inserting blank amounts for the caps on royalties from geothermal resources that are paid to the State and to the county in which the geothermal resources are located.

As affirmed by the record of votes of 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. 3229, 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. 3229, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 1969-22 Finance on S.B. No. 206**

The purpose of this measure is to prohibit discrimination in rental transactions, including advertisements for rental property, that are based on participation in a Section 8 Housing Choice Voucher Program or any permanent supportive housing program, or requirements related to participation in these housing assistance programs.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawaii, Rainbow Family 808, AF3IRM Hawaii, and eight individuals. 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 Governor's Coordinator on Homelessness, Department of Human Services, Hawai'i Civil Rights Commission, Hawaii Public Housing Authority, Hawai'i State Commission on the Status of Women, Catholic Charities Hawai'i, Partners in Care, Hawai'i Applesseed Center for Law and Economic Justice, Elizabeth Kahanu Hawaiian Civic Club, Hawai'i Children's Action Network Speaks!, Ko'olaupoko Hawaiian Civic Club, American Civil Liberties Union of Hawai'i, Legal Aid Society of Hawai'i, Hawaii Habitat for Humanity Association, Association of Hawaiian Civic Clubs, 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. 206, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 1970-22 Finance on S.B. No. 879**

The purpose of this measure is to require the counties to provide for the maintenance of infrastructure for any housing development for the Department of Hawaiian Home Lands within sixty days and under certain conditions.

Your Committee received testimony in support of this measure from the Environmental Caucus of the Democratic Party of Hawai'i and one individual. Your Committee received testimony in opposition to this measure from the Kalama'ula Mauka Homestead Association. 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 S.B. No. 879, 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. 1971-22 Finance on S.B. No. 2370**

The purpose of this measure is to:

- (1) Establish the Office on Homelessness and Housing Solutions; and
- (2) Appropriate funds for the administration of the Office on Homelessness and Housing Solutions, including full-time equivalent positions.

Your Committee received testimony in support of this measure from the Judiciary, Office of the Public Defender, Department of the Prosecuting Attorney of the City and County of Honolulu, Hawaii Chapter of the American College of Emergency Physicians, and two individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Land and Natural Resources, Department of Human Services, Department of Budget and Finance, and Partners in Care.

As affirmed by the record of votes of 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. 2370, S.D. 2, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1972-22 Finance on S.B. No. 2479**

The purpose of this measure is to require each public housing project, dwelling unit, or state low-income housing project that is built, renovated, or reconstructed after January 1, 2023, to include all broadband infrastructure that is necessary for tenants to have access to broadband service.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Hawaii Public Housing Authority; Hawaii State Council on Developmental Disabilities; Common Cause Hawaii; AARP Hawai'i; Hawaiian Telcom; Tangent Inc.; Succeed Hawaii, LLC; HawaiiKidsCAN; and three individuals. 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 S.B. No. 2479, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1973-22 Finance on S.B. No. 2588**

The purpose of this measure is to appropriate funds to the Hawaii Public Housing Authority to remodel, renovate, repair, and rehabilitate two hundred sixty-four housing units.

Your Committee received testimony in support of this measure from the Hawaii Public Housing Authority. 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. 2588, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1974-22 Finance on S.B. No. 2677**

The purpose of this measure is to:

- (1) Temporarily expand the State Rent Supplement Program to specifically target qualified kupuna who are sixty-two years of age or older and are homeless or at imminent risk of becoming homeless;
- (2) Require the Hawaii Public Housing Authority to submit annual reports on the State Rent Supplement Program for kupuna to the Legislature; and
- (3) Appropriate funds.

Your Committee received testimony in support of this measure from the Executive Office on Aging, AARP Hawai'i, Catholic Charities Hawai'i, Partners in Care, and three individuals. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Hawaii Public Housing 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 S.B. No. 2677, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1975-22 Finance on S.B. No. 2922**

The purpose of this measure is to:

- (1) Beginning July 1, 2023, authorize the counties to adopt ordinances that allow up to one house per quarter-acre in rural districts;
- (2) Beginning July 1, 2022, require the Office of Planning and Sustainable Development to conduct a study to refine rural district policies, make recommendations to facilitate the reclassification of lands from the agricultural district to the rural district, and submit reports to the Legislature; and
- (3) Appropriate funds to the Office of Planning and Sustainable Development to conduct the study and complete the reports.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Agriculture, Department of Budget and Finance, Office of Planning and Sustainable Development, Hawai'i Farm Bureau, 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. 2922, S.D. 2, 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, B. Kobayashi, Perruso, Wildberger). Noes, none. Excused, none.



**SCRep. 1976-22 Finance on S.B. No. 3048**

The purpose of this measure is to:

- (1) Authorize the Director of Finance to transfer excess tax-exempt general obligation bond proceeds and accrued interest from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund;
- (2) Authorize the Rental Housing Revolving Fund to be used for the Hawaii Housing Finance and Development Corporation's housing finance programs;
- (3) Establish two full-time equivalent housing financial specialist I positions within the Hawaii Housing Finance and Development Corporation; and
- (4) Appropriate funds to the Hawaii Housing Finance and Development Corporation for computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties.

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 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. 3048, 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. 1977-22 Finance on S.B. No. 3247**

The purpose of this measure is to require the Department of Hawaiian Home Lands to develop a strategic plan to meet applicant preferences:

- (1) For a single-family home or vacant lot for a house; and
- (2) To rent or rent-to-own a single-family home, duplex, apartment, or townhouse, with the option to buy in the future.

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.

As affirmed by the record of votes of 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. 3247, 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. 1978-22 Finance on S.B. No. 3324**

The purpose of this measure is to:

- (1) Establish a working group to examine and address the problem of infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory homeowner associations in counties with populations greater than one hundred seventy thousand but less than three hundred thousand; and
- (2) Appropriate funds for the working group, subject to the availability of matching county funds.

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. 3324, 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. 1979-22 Finance on S.B. No. 2150**

The purpose of this measure is to authorize and appropriate funds for the Department of Human Services to provide additional housing assistance subsidies of up to \$500 per month to recipients of the Temporary Assistance for Needy Families or Temporary Assistance for Other Needy Families programs who participate in the First-To-Work Program.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Zonta Club of Hilo, Hawai'i Children's Action Network Speaks!, Catholic Charities Hawai'i, Partners In Care, and six individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Tax Foundation of Hawaii, and one individual.

Your Committee has amended this measure by changing the housing assistance subsidies to an unspecified amount.

As affirmed by the record of votes of 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. 2150, 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. 2150, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 1980-22 Finance on S.B. No. 2898**

The purpose of this measure is to establish transit-oriented development infrastructure improvement districts within county-designated transit-oriented development zones and a Transit-Oriented Development Infrastructure Improvement District Board to foster community development by strategically investing in infrastructure improvements.

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 and Sustainable Development. Your Committee received testimony in opposition to this measure from the Maui Chamber of Commerce. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Planning and Permitting of the City and County of Honolulu, and Hawaiian Electric Company.

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. 2898, 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. 2898, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 1981-22 Finance on S.B. No. 2583**

The purpose of this measure is to exempt non-ceded lands set aside by the Governor to the Hawaii Housing Finance and Development Corporation from classification as public lands subject to Department of Land and Natural Resources' management.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and one individual.

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2583, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2583, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 1982-22 Finance on S.B. No. 2372**

The purpose of this measure is to:

- (1) Require the Hawaii Housing Finance and Development Corporation, with the assistance of the Governor's Coordinator on Homelessness, to:
  - (A) Determine whether any of the lands identified in the Affordable Rental Housing Report and Ten-Year Plan are suitable for the development of temporary housing for the Ohana Zones Pilot Program or other forms of affordable housing; and
  - (B) Provide recommendations on the actions required to develop the lands into temporary housing for the Ohana Zones Pilot Program or other forms of affordable housing;
- (2) Require the Hawaii Housing Finance and Development Corporation to submit a report to the Legislature before the Regular Session of 2023;
- (3) Require the Hawaii Housing Finance and Development Corporation to establish a five-year Dwelling Unit Revolving Fund Equity Pilot Program; and
- (4) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Catholic Charities Hawai'i, Partners In Care, Hawaii Chapter of the American College of Emergency Physicians, and one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of Budget and Finance, and Hawaii Housing Finance and Development Corporation.

Your Committee has amended this measure by changing the appropriations 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. 2372, 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. 2372, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 1983-22 Finance on S.B. No. 3338**

The purpose of this measure is to appropriate funds to the Department of Health for the design, planning, and construction of the Kalaupapa Memorial.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs, Mayor of Maui County, two members of the Maui County Council, Damien Museum in Tremelo, 'Ahahui o nā Kauka, Ka'Ohana O Kalaupapa, Ke Kai O Kuloloi'a, IDEA Center for the Voices of Humanity, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance and Department of Health.

Your Committee has amended this measure by:

- (1) Changing the appropriation amount to \$5,000,000; and
- (2) Changing the effective date to July 1, 2022.

As affirmed by the record of votes of 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. 3338, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3338, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

**SCRep. 1984-22 Finance on S.B. No. 2043**

The purpose of this measure is to repeal certain cross-references in the campaign spending law that refer to language that was previously repealed.

Your Committee received testimony in support of 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. 2043, 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. 1985-22 Finance on S.B. No. 2387**

The purpose of this measure is to require agencies to publicly post the justification for cancelling an invitation for bids or request for proposals, for a minimum of ten business days, on a purchasing agency's website, government electronic notification system, or by any other means the procurement officer deems effective for publicizing the cancellation notice.

Your Committee received testimony in support of this measure from the Department of Budget and Fiscal Services of the City and County of Honolulu. 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 S.B. No. 2387, 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 (Perruso, McDermott).

**SCRep. 1986-22 Finance on S.B. No. 3282**

The purpose of this measure is to:

- (1) Authorize the Comptroller to mandate the transfer of post-statehood governmental records to the State Records Center and the time period at which the records should be transferred; and
- (2) Appropriate funds to the Office of Enterprise Technology Services for operating costs and equipment to administer the State Records Center and for positions within the State Archives to assist agencies in the identification and transfer of certain government records to the State Archives.

Your Committee received testimony in support of this measure from the Office of Enterprise Technology Services. Your Committee received comments on this measure from the Department of Budget and Finance and 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. 3282, 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 (Perruso, McDermott).

**SCRep. 1987-22 Finance on S.B. No. 3369**

The purpose of this measure is to:

- (1) Establish a working group to develop a plan for the phased in consolidation of procurement services and staff within executive branch agencies within a five-year timespan, excluding the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs;
- (2) Require the working group to make recommendations for attracting high-quality procurement professionals to the State; and
- (3) Appropriate funds to the State Procurement Office to support the activities of the working group.

Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, 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 S.B. No. 3369, S.D. 2, 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 (Perruso, McDermott).

**SCRep. 1988-22 Finance on S.B. No. 3252**

The purpose of this measure is to:

- (1) Impose a cap on the costs charged for the reproduction of certain government records;
- (2) Waive the cost of duplication of government records provided to requestors in an electronic format;
- (3) Impose a cap on costs charged for searching for, reviewing, and segregating digital records; and
- (4) Provide for a waiver of fees when the public interest is served by a digital record's disclosure.

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, American Civil Liberties Union of Hawai'i, and Hawaii Chapter of the Society of Professional Journalists. Your Committee received testimony in opposition to this measure from the Department of the Attorney General, Department of Land and Natural Resources, Department of Defense, Department of Health, Department of Agriculture, and Department of Design and Construction of the City and County of Honolulu. Your Committee received comments on this measure from the Department of Human Services, Department of Commerce and Consumer Affairs, Department of Budget and Finance, Employees' Retirement System, Office of Planning and Sustainable Development, Office of Information Practices, Honolulu Police Department, Grassroot Institute of Hawaii, and two individuals.

Your Committee has amended this measure by:

- (1) Including an appropriation in an unspecified amount for two full-time equivalent permanent positions within the Office of Information Practices; and
- (2) Making technical, 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. 3252, 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. 3252, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

**SCRep. 1989-22 Finance 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 grade of O6 or above, or its equivalent;
- (2) Has served as a commissioned officer in one or more components in the Army or Air Force for at least ten years; and
- (3) Has no administrative actions preventing promotion to the rank of a General Officer in the military grade of O7 or O8.

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

As affirmed by the record of votes of 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. 1112, 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. 1990-22 Finance on S.B. No. 2817**

The purpose of this measure is to repeal certain Department of Education annual reporting requirements.

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

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2817, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2817, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

**SCRep. 1991-22 Finance on S.B. No. 3098**

The purpose of this measure is to make an emergency appropriation to the Department of Education for lead abatement measures at Department of Education elementary schools.

Your Committee received testimony in support of this measure from the Department of Education, Department of Health, and Hawaii State Teachers Association. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Inserting an appropriation amount of \$1,850,000 for lead abatement measures at Department of Education elementary schools;
- (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 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. 3098, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3098, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

**SCRep. 1992-22 Finance on S.B. No. 2081**

The purpose of this measure is to:

- (1) Establish the Department of Education Commercial Enterprises Revolving Fund to accept the deposit of revenues from commercial enterprise operation programs undertaken by the Department of Education; and
- (2) Authorize the Department of Education to expend revenues from the Revolving Fund to support the operations of the commercial enterprises.

Your Committee received testimony in support of this measure from the Department of Education and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 2081, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2081, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

**SCRep. 1993-22 Finance on S.B. No. 2184**

The purpose of this measure is to:

- (1) Establish a digital learning center within the Department of Education; and
- (2) Appropriate funds for staffing and programmatic expenses for the digital learning center.

Your Committee received testimony in support of this measure from the Department of Education; Kamehameha Schools; Chamber of Commerce Hawaii; Tangent Inc.; Succeed Hawaii, LLC; HawaiiKidsCAN; 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 its effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2184, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2184, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Perruso, McDermott).

#### **SCRep. 1994-22 Finance on S.B. No. 2928**

The purpose of this measure is to establish and appropriate funds for an Agricultural Careers Working Group to study and develop an implementation plan for career pathways in the agricultural sector.

Your Committee received testimony in support of this measure from the Department of Education, University of Hawai'i System, and Hawai'i Farm Bureau. 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. 2928, S.D. 3, 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. 1995-22 Finance on S.B. No. 3092**

The purpose of this measure is to allow for greater implementation of commercial enterprises in schools by classifying student interns engaged in a commercial enterprise as employees of the State for purposes of the State Tort Liability Act and allowing the Department of Education to use revenue generated from school commercial enterprises.

Your Committee received testimony in support of 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. 3092, 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. 1996-22 Finance on S.B. No. 2280**

The purpose of this measure is to permit dental assistants to perform limited, essential duties under the general supervision of a licensed dentist in public health settings.

Your Committee received testimony in support of this measure from the Department of Health, Board of Dentistry, Hawai'i Children's Action Network Speaks!, Hawai'i Oral Health Coalition, AlohaCare, and Hawaii Dental 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. 2280, 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. 1997-22 Finance on S.B. No. 3367**

The purpose of this measure is to establish and appropriate funds for an Early Lung Cancer Screening Task Force to research what steps and resources are necessary to increase early lung cancer screening in Hawaii.

Your Committee received testimony in support of this measure from the University of Hawai'i Cancer Center, John A. Burns School of Medicine, Hawaii Medical Association, and Hawai'i Primary Care Association. Your Committee received comments on this measure from the Department of Human Services, Department of Health, Department of Budget and Finance, State Procurement Office, Hawai'i Public Health Association, American Lung Association in Hawai'i, Papa Ola Lōkahi, and Hawai'i Public Health 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 S.B. No. 3367, 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. 1998-22 Finance on S.B. No. 2624**

The purpose of this measure is to establish and fund:

- (1) A Telehealth Pilot Project to provide telehealth medical services at two distinct project sites in medically underserved areas; and
- (2) A Rural Health Care Pilot Project to assist residents in three distinct rural areas, one each on the islands of Maui, Molokai, and Lanai.

Your Committee received testimony in support of this measure from the John A. Burns School of Medicine at the University of Hawai'i at Mānoa, Hawaii Substance Abuse Coalition, The Queen's Health Systems, Hawaii Medical Association, and one individual. Your Committee received comments on this

measure from the Department of Budget and Finance; Disability and Communication Access Board; Hawaii State Council on Mental Health; Hawai'i State Center for Nursing; Hawaii Primary Care Association; Hawaii Psychiatric Medical Association; and Molokai Ohana Health Care, Inc., dba Molokai Community Health Center.

As affirmed by the record of votes of 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. 2624, 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. 1999-22 Finance on S.B. No. 2144**

The purpose of this measure is to require the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprised of stakeholders, to develop and publish, and periodically review and update, electronic information technology accessibility standards to be implemented by all state entities.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Executive Office on Aging, Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, and ten individuals. Your Committee received comments on this measure from the Disability and Communication Access Board, Office of Enterprise Technology Services, and Assistive Technology Resource Centers 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. 2144, 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. 2000-22 Finance on S.B. No. 1138**

The purpose of this measure is to:

- (1) Establish the annual expenditure ceiling of the Office of Healthcare Assurance Special Fund through the state budget process, to offset increasing operational expenses that include contracts to implement a new management information system and background checks system, as well as diminish dependence on the general fund; 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 and one individual.

Your Committee has amended this measure by:

- (1) Removing the authorization for emergency spending beyond the established budget ceiling for the Office of Healthcare Assurance Special Fund (Special Fund);
- (2) Clarifying the establishment of the annual expenditure ceiling of the Special Fund through the state budget process by:
  - (A) Repealing the statutory expenditure ceiling and cap for the Special Fund; and
  - (B) Inserting an appropriation out of the Special Fund to complete the Health Care Facility Management System project; 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. 1138, 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. 1138, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 2001-22 Finance on S.B. No. 2670**

The purpose of this measure is to:

- (1) Establish and fund a Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission to provide for a statewide program on the status of lesbian, gay, bisexual, transgender, queer, plus individuals in the State; and
- (2) Require and fund each county mayor to appoint a county committee on the status of lesbian, gay, bisexual, transgender, queer, plus individuals.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission, Stonewall Caucus of the Democratic Party of Hawai'i, Pride at Work Hawai'i, Rainbow Family 808, North Shore Ko'olau Diversity Collective, Hawai'i State AFL-CIO, Common Cause Hawaii, Hawaii Rainbow Chamber of Commerce, Hawai'i Health & Harm Reduction Center, The Lavender Clinic, Americans For Democratic Action Hawai'i, IATSE Local 665, and twelve individuals. Your Committee received comments on this measure from the Department of Human Services and Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Removing the Executive Director position of the Commission;
- (2) Removing the requirement that each county mayor appoint a county committee on the status of lesbian, gay, bisexual, transgender, queer, plus affairs; and
- (3) Removing the appropriations; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2670, 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. 2670, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 2002-22 Finance on S.B. No. 3168**

The purpose of this measure is to expand regulatory exemptions for Ohana Zones Pilot Program contracts, extend the sunset date of the pilot program, and appropriate funds for the pilot program.

Your Committee received testimony in support of this measure from AARP Hawai'i, Partners in Care, Opportunity Youth Action Hui, Hawai'i Appleseed Center for Law and Economic Justice, Hawaiian Community Assets, Hawaii Community Lending, Young Democrats 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 Governor's Coordinator on Homelessness, Department of the Attorney General, Department of Land and Natural Resources, Department of Budget and Finance, Department of Human Services, Hawai'i Emergency Management Agency, Office of Planning and Sustainable Development, Catholic Charities Hawai'i, and Hawaii Habitat for Humanity Association.

Your Committee has amended this measure by:

- (1) Inserting a preamble to demonstrate the need for the expansion of regulatory exemptions for Ohana Zones Pilot Program contracts;
- (2) Removing certain regulatory exemptions, thereby subjecting Ohana Zones Pilot Program contracts to:
  - (A) The counties' authority to remove debris, or enforce any private responsibility to remove debris, from channels, shores, and beaches;
  - (B) Certain conditions for county building permit and building code exemptions for agricultural buildings and structures;
  - (C) Laws related to the disposition of public lands;
  - (D) Laws related to the Department of Human Services;
  - (E) Laws related to coastal zone management; and
  - (F) Public works wage and hour laws;
- (3) Providing that no contract or structures constructed pursuant to the Pilot Program shall be exempt from county, state, or federal floodplain management development standards, statutes, codes, ordinances, rules, or regulations with which compliance is required under the National Flood Insurance Program;
- (4) Removing the provision that required the State to be the payor of last resort for all expenses related to the Ohana Zones Pilot Program; 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 S.B. No. 3168, 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. 3168, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14; Ayes with Reservations (Perruso). Noes, none. Excused, 1 (McDermott).

**SCRep. 2003-22 Finance on S.B. No. 3075**

The purpose of this measure is to resolve certain payment issues related to franchise tax collections deposited into the Compliance Resolution Fund by:

- (1) Ensuring that the statutorily-mandated \$2,000,000 franchise tax payment is credited in full to the Compliance Resolution Fund for use by the Division of Financial Institutions of the Department of Commerce and Consumer Affairs; and
- (2) Specifying that if franchise tax collections are insufficient, income tax collections will be used to ensure \$2,000,000 is deposited into the Compliance Resolution Fund.

Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of the Attorney General, Department of Taxation, Tax Foundation of Hawaii, and Hawaii Financial Services Association.

Your Committee has amended this measure by:

- (1) Removing provisions that would have amended the income tax laws under chapter 235, Hawaii Revised Statutes;
- (2) Clarifying that if revenues from the franchise tax are insufficient, revenues from the income tax shall be used to ensure \$2,000,000 is deposited into the Compliance Resolution 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3075, 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. 3075, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Eli, Holt, McDermott).

**SCRep. 2004-22 Finance on S.B. No. 2379**

The purpose of this measure is to authorize the Special Enforcement Section of the Department of Taxation to:

- (1) Examine any sector of the State's economy;
- (2) Initiate civil investigations to ensure proper payment of all taxes due;
- (3) Use enforcement and education to deter and prevent non-compliance with state taxation laws; and
- (4) Refer and recommend cases or examinations of segments of the economy to Department of Taxation auditors.

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

Your Committee 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. 2379, 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. 2379, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 2005-22 Finance on S.B. No. 2599**

The purpose of this measure is to amend the tax credit for research activities by:

- (1) Adding a cap for an eligible taxpayer and its related entities per taxable year;
- (2) Consolidating the survey and certification requirements for the tax credit;
- (3) Increasing the annual aggregate cap; and
- (4) Requiring certification on a first-come, first-served basis, to be determined on the date a complete application is received.

Your Committee received testimony in support of this measure from Oceanit; Nalu Scientific, LLC; and two individuals. Your Committee received comments on this measure from the Department of Taxation; Department of Business, Economic Development, and Tourism; Department of Budget and Finance; Hawai'i Technology Development Corporation; Makai Ocean Engineering; and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that the tax credit shall not be eligible for research that has been funded through tax exempt receipts, such as a grant or forgivable loan;
- (2) Changing the cap for an eligible taxpayer and its related entities per taxable year and the annual aggregate cap for all taxpayers to unspecified amounts; 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. 2599, 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. 2599, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 2006-22 Finance on S.B. No. 2767**

The purpose of this measure is to make a one-time appropriation to the Department of Land and Natural Resources to bring the State's program of fish aggregation devices up to full capacity.

Your Committee received testimony in support of this measure from four individuals. Your Committee received testimony in opposition to this measure from the Beach Environmental Awareness Campaign Hawaii. Your Committee received comments on this measure from the Department of Land and Natural Resources; Department of Budget and Finance; and Hawai'i Fishermen's Alliance for Conservation and Tradition, Inc.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2767, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2767, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 15. Noes, none. Excused, none.

**SCRep. 2007-22 Finance on S.B. No. 2768**

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 an agreement for the administration of a green jobs youth corps to provide temporary work and training opportunities in the fields of natural resource management, agriculture, or other sustainability-related professions to young adults ages thirty-eight and younger; and
- (2) Require the Department to partner with an organization that has received accreditation from the Corps Center of Excellence Accreditation Program or has at least ten years of experience providing similar programming statewide in the State, or both.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Hawaii State Energy Office, Kua'āina Ulu 'Auamo, Hawaii Fish Company Inc., Climate Protectors Hawaii, The Nature Conservancy - Hawai'i and Palmyra, Kupu, Re-use Hawai'i, 350Hawaii.org, HT Hayashi Foundation, Beach Environmental Awareness Campaign Hawai'i, Kauai Women's Caucus, and sixteen individuals. Your Committee received comments on this measure from the Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2768, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2768, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

**SCRep. 2008-22 Finance on S.B. No. 3134**

The purpose of this measure is to streamline the process for completing the Department of Land and Natural Resources' required annual payment of debt service on the reimbursable general obligation bonds that financed the Turtle Bay conservation easement.



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

Your Committee has amended this measure by changing its effective date to 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. 3134, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3134, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 2009-22 Finance on S.B. No. 3330**

The purpose of this measure is to require and appropriate funds for the Department of Land and Natural Resources to establish and conduct a three-year Pupukea Marine Life Conservation District Carrying Capacity Pilot Program.

Your Committee received testimony in support of this measure from the Hawai'i Reef and Ocean Coalition, Kua'āina Ulu 'Auamo, Friends of Hanauma Bay, Mālama Pūpūkea-Waimea, Surfrider Foundation - Hawai'i Region, Center for Biological Diversity, and eighteen individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Department of Budget and Finance.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3330, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3330, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 2010-22 Finance on S.B. No. 3379**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for a ports-of-entry biosecurity program.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, Department of Land and Natural Resources, Coordinating Group on Alien Pest Species, Hawai'i Farm Bureau, Hawaii Cattlemen's Council, and one individual. Your Committee received comments on this measure from the Department of Agriculture and Department of Budget and Finance.

Your Committee has amended this measure by changing its effective date to July 1, 2022.

As affirmed by the record of votes of 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. 3379, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3379, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 2011-22 Finance on S.B. No. 573**

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 of the Hawai'i County Council, Hawai'i Wildlife Center, Save Our Shearwaters, and numerous individuals.

Your Committee has amended this measure by:

- (1) Changing its effective date to upon its approval; and
- (2) Making a technical, nonsubstantive amendment for the purpose 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. 573, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 573, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 2012-22 Finance on S.B. No. 2398**

The purpose of this measure is to:

- (1) Create the Pulehunui Community Development District to allow for planning, development, and maintenance of public lands in Pulehunui, Maui; and
- (2) Amend the Hawaii Community Development Authority membership to include the Director of Business, Economic Development, and Tourism; Chairperson of the Board of Land and Natural Resources; and director of the department of planning and permitting of each county, or their respective designees, in which a community development district is located.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Hawaiian Home Lands, Hawaii Community Development Authority, and League of Women Voters of Hawaii.

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2398, 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. 2398, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 2013-22 Finance on S.B. No. 3179**

The purpose of this measure is to appropriate funds for:

- (1) The Department of Land and Natural Resources' Division of Forestry and Wildlife to assist with feral axis deer herd population management on the islands of Maui, Molokai, and Lanai;
- (2) Three full-time equivalent (3.0 FTE) technician positions to assist in managing new and existing hunting areas, assist with injured deer, distribute traps to control nuisance deer, and work with ranchers to establish hunting programs or control work on ranchlands; and
- (3) The purchase of certain equipment to assist the technicians in carrying out their duties.

Your Committee received testimony in support of this measure from the Hawai'i Farm Bureau, The Nature Conservancy, Maui Chamber of Commerce, and five individuals. Your Committee received testimony in opposition to this measure from the Molokai Hunting Club and one individual. Your Committee received comments on this measure from the Department of Land and Natural Resources, Department of Budget and Finance, The Molokai Bowhunters Club, Kualapu'u Ranch, Farm Bureau - Molokai Chapter, and five individuals.

Your Committee has amended this measure by:

- (1) Requiring the Department of Land and Natural Resources' Division of Forestry and Wildlife to adopt rules and issue funds to licensed hunters at a per unit rate for feral axis deer herd management; and
- (2) Making technical, 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. 3179, 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. 3179, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 2014-22 Finance on S.B. No. 2021**

The purpose of this measure is to:

- (1) Establish twenty percent of the net receipts from the public land trust, or \$15,100,000, whichever is greater, as the Office of Hawaiian Affairs' annual pro rata share of the income and proceeds of the public land trust beginning in fiscal year 2022-2023;
- (2) Require departments, agencies, or entities that collect receipts from public land trust lands, including the University of Hawaii, to determine and transfer to the Office of Hawaiian Affairs that portion of their net receipts from the public land trust collected during each fiscal quarter necessary to ensure that twenty percent of the net receipts from the public land trust, or \$3,775,000, whichever is greater, is transferred to the Office of Hawaiian Affairs within thirty days of the close of each fiscal quarter, beginning in fiscal year 2022-2023;
- (3) Require departments, agencies, or entities to transfer an unspecified amount from their net receipts from the public land trust collected during fiscal year 2022-2023 to the Office of Hawaiian Affairs;
- (4) Require the Director of Finance or the Director's designee to:
  - (A) Determine the total amount of receipts transferred by any department, agency, or entity that collects receipts from the lands within the public land trust to the Office of Hawaiian Affairs during the immediately prior fiscal quarter; and
  - (B) If the total amount of receipts transferred to the Office of Hawaiian Affairs is less than \$3,775,000 in the immediately prior fiscal quarter, to make up the difference between \$3,775,000 and the amount of receipts transferred in the immediately prior fiscal quarter by establishing the additional amount of receipts that each agency must transfer to the Office of Hawaiian Affairs; and
- (5) Transfer to the Office of Hawaiian Affairs the balance of funds contained in the Carry-Forward Trust Holding Account to pay the Office of Hawaiian Affairs amounts received from the public land trust between July 1, 2021, through June 30, 2022.

Your Committee received testimony in support of this measure from the Makaha Hawaiian Civic Club and four individuals. Your Committee received testimony in opposition to this measure from the Department of Land and Natural Resources, Center for Hawaiian Sovereignty Studies, Ko'olauloa Hawaiian Civic Club, The Mama Loa Foundation, and one individual. Your Committee received comments on this measure from the Department of Transportation; Department of Budget and Finance; Department of Agriculture; Department of the Attorney General; Office of Hawaiian Affairs; University of Hawai'i System; one member of the Honolulu City Council; Hui Ho'omalu I Ka 'Aina; Ke One O Kakuhihewa; Kūpuna for the Mo'opuna; Hawai'i Alliance for Progressive Action; Hawaiian Affairs Caucus of the Democratic Party of Hawai'i; Native Hawaiian & Pacific Islander COVID-19 Hawai'i Response, Recovery, and Resilience Team; Kamehameha Schools; Ko'olau Foundation; Ali'i Pauahi Hawaiian Civic Club; Kanu o ka Aina; Kahikinui Hawaiian Homestead Association; and numerous individuals.

Your Committee has amended this measure by:

- (1) Establishing twenty percent of all funds derived, rather than net receipts, from the public land trust, or \$21,500,000 whichever is greater, as the Office of Hawaiian Affairs' annual pro rata share of the income and proceeds of the public land trust beginning in fiscal year 2022-2023;
- (2) Removing the substantive provisions regarding the determination and transfer of net receipts from public land trust lands;
- (3) Establishing a working group to determine the subsequent annual pro rata share on income and proceeds from the public land and past due amounts to the Office of Hawaiian Affairs for the period from July 1, 2012, to June 30, 2022;
- (4) Inserting an amount of \$31,000,000 to be appropriated out of the Carry-Forward Trust Holding Account;
- (5) Making it effective upon its approval; and

(6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee intends for the amount of \$21,500,000 to serve as the Office of Hawaiian Affairs' interim annual pro rata share of the income and proceeds of the public land trust beginning in fiscal year 2022-2023 while the working group determines a more appropriate amount to recommend to the Legislature. Your Committee notes that this measure appropriates funds out of the Carry-Forward Trust Holding Account established by the Director of Finance pursuant to Governor's Executive Order No. 06-06, but also tasks the working group with determining any further past due sum owed to the Office of Hawaiian Affairs for the period from July 1, 2012, to June 30, 2022.

As affirmed by the record of votes of 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. 2021, 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. 2021, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

#### **SCRep. 2015-22 Finance on S.B. No. 3114**

The purpose of this measure is to:

- (1) Establish a \$25 fee for all licenses to solemnize a marriage, to be deposited into the Vital Statistics Improvement Special Fund;
- (2) Require the Department of Health to account for the collection and deposit of the fee into the Vital Statistics Improvement Special Fund; and
- (3) Repeal certain provisions, including those regarding fees, related to obtaining a license to solemnize civil marriage ceremonies.

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

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3114, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3114, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

#### **SCRep. 2016-22 Finance on S.B. No. 416**

The purpose of this measure is to:

- (1) Clarify the applicable expert witness fees in state criminal cases; and
- (2) Increase per diem payments for other witnesses required to travel and stay overnight to attend a state court or grand jury in any criminal case.

Your Committee received testimony in support of this measure from the Office of the Public Defender and Department of the Prosecuting Attorney of the City and County of Honolulu.

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. 416, 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. 416, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

#### **SCRep. 2017-22 Finance 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 two individuals. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, Department of Hawaiian Home Lands, and Tax Foundation of Hawaii.

Your Committee has amended this measure by:

- (1) Clarifying that the general excise tax exemption applies only to housing development on homestead lands;
- (2) Requiring the Department of Hawaiian Home Lands to adopt rules necessary to carry out the purposes of this measure;
- (3) Additionally exempting the gross proceeds and imposition of tax on imported property and services arising from the planning, design, financing, or construction of any housing development by the Department of Hawaiian Home Lands from the use tax; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1121, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1121, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 2018-22 Finance on S.B. No. 2623**

The purpose of this measure is to prohibit lessees who sell or transfer their interest in a Hawaiian home lands tract from being placed on the waiting list maintained by the Department of Hawaiian Home Lands for an additional lease.

Your Committee received comments on this measure from the Department of Hawaiian Home Lands.

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. 2623, 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. 2623, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 10; Ayes with Reservations (Marten). Noes, 3 (Eli, Perruso, Tam). Excused, 2 (Branco, McDermott).

**SCRep. 2019-22 Finance on S.B. No. 2663**

The purpose of this measure is to alter the filing fee schedules for actions to determine father and child relationships to achieve parity with divorce cases by:

- (1) Establishing an initial filing fee of \$100; and
- (2) Eliminating the filing fee to file motions.

Your Committee received testimony in support of this measure from the Office of Hawaiian Affairs and Health Committee of the Democratic Party of Hawai'i.

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. 2663, 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. 2663, S.D. 1, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 13. Noes, none. Excused, 2 (Branco, McDermott).

**SCRep. 2020-22 Finance on S.B. No. 3189**

The purpose of this measure is to:

- (1) Amend the offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively; and
- (2) Exclude the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea.

Your Committee received testimony in support of this measure from eight individuals. Your Committee received testimony in opposition to this measure from the American Civil Liberties Union of Hawai'i and one individual. Your Committee received comments on this measure from the Office of the Public Defender and Department of the Prosecuting Attorney of the City and County of Honolulu.

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. 3189, 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. 3189, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12; Ayes with Reservations (B. Kobayashi, Todd). Noes, 1 (Perruso). Excused, 2 (Branco, McDermott).

**SCRep. 2021-22 Finance on S.B. No. 2963**

The purpose of this measure is to:

- (1) Require state facilities, with the exception of smaller facilities, 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) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures; and
- (4) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency and 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 Department of Accounting and General Services, Hawaii State Energy Office, Uluopono Initiative, Hawai'i Energy, and one individual. Your Committee received comments on this measure from the Department of Transportation, Climate Protectors Hawai'i, and 350Hawaii.org.

Your Committee has amended this measure by:

- (1) Removing the provision that certain agencies that perform energy efficiency retrofitting may continue to receive appropriations for energy expenditures;
- (2) Changing the effective date to July 1, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2963, 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. 2963, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

**SCRep. 2022-22 Finance on S.B. No. 3195**

The purpose of this measure is to appropriate funds to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands, Hawaii State Energy Office, Sustainable Energy Hawaii, 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 effective date to July 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3195, S.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3195, S.D. 2, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 15. Noes, none. Excused, none.

#### **SCRep. 2023-22 Finance on S.B. No. 2473**

The purpose of this measure is to:

- (1) Transfer the administrative attachment of the Agribusiness Development Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism;
- (2) Amend the focus, scope, responsibilities, and powers of the Agribusiness Development Corporation;
- (3) Amend the requirements and responsibilities of the Board of Directors of the Agribusiness Development Corporation;
- (4) Specify the required contents of the Hawaii Agribusiness Plan; and
- (5) Appropriate funds.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Agribusiness Development Corporation; and one member of the Hawai'i County Council. Your Committee received testimony in opposition to this measure from Pono Hawai'i Initiative, Ka Ohana O Na Pua, Kauai Women's Caucus, Hawai'i Alliance for Progressive Action, Rooted Kekahi Me Ka Aina, Hawai'i SEED, Hawai'i Food+ Policy, and numerous individuals. Your Committee received comments on this measure from the Department of Budget and Finance, Department of Agriculture, and Hawai'i Farm Bureau.

Your Committee has amended this measure by:

- (1) Specifying that the Hawaii Agribusiness Plan include strategies for federal, state, county, and community stakeholder actions that will promote the development and enhancement of Hawaii's agricultural industries;
- (2) Clarifying that the goals of the Hawaii Agribusiness Plan shall have objectives and measurable outcomes that prioritize local food production from the Agribusiness Development Corporation's leases and licenses;
- (3) Changing the appropriations to unspecified amounts;
- (4) Changing the effective date to July 1, 3000, 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2473, 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. 2473, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 12. Noes, none. Excused, 3 (Holt, Perruso, McDermott).

#### **SCRep. 2024-22 Finance on S.B. No. 2837**

The purpose of this measure is to:

- (1) Establish and appropriate funds into and out of the Spay and Neuter Special Fund for cat spaying and neutering surgery and associated veterinary care;
- (2) Allow funds from an income tax check-off to be deposited into the Spay and Neuter Special Fund;
- (3) Require the Department of Land and Natural Resources, in collaboration with animal welfare groups and organizations, to conduct a point-in-time count of feral cats per main island by June 30, 2023; and
- (4) Require the Department of Land and Natural Resources to submit a report regarding the point-in-time count to the Legislature prior to the Regular Session of 2024.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawaii, Hawai'i Reef and Ocean Coalition, Hawaiian Monk Seal Preservation Ohana, Animal Rights Hawai'i, and numerous individuals. Your Committee received testimony in opposition to this measure from the Department of Budget and Finance, American Bird Conservancy, Hui Ho'omalua i ka 'Aina, Maui Nui Seabird Recovery Project, Big Island Invasive Species Committee, Center for Biological Diversity, Kauai Albatross Network, and numerous individuals. Your Committee received comments on this measure from the Department of Agriculture, Department of Land and Natural Resources, Department of Taxation, Animal Interfaith Alliance in Britain, Tax Foundation of Hawaii, Hawaiian Humane Society, and seven individuals.

Your Committee has amended this measure by:

- (1) Specifying that the Department of Land and Natural Resources, in collaboration with animal welfare groups and organizations, shall plan a count of free-roaming cats per main island and submit a report to the Legislature prior to the convening of the Regular Session of 2023;
- (2) Appropriating an unspecified amount for the Department of Land and Natural Resources to plan for the count of free-roaming cats per main island; 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. 2837, 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. 2837, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 9; Ayes with Reservations (Branco, Perruso). Noes, 6 (Holt, B. Kobayashi, Sayama, Tam, Todd, Wildberger). Excused, none.

**SCRep. 2025-22 Finance on S.B. No. 2782**

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; Hawaii Health Systems Corporation; and United Public Workers, AFSCME Local 646, AFL-CIO.

Your Committee has amended this measure by:

- (1) Inserting the appropriate figures for fiscal biennium 2021-2023 based upon the ratified collective bargaining agreement for collective bargaining unit (1), as indicated in Governor's Message No. 6, 2022;
- (2) Making it effective 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 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. 2782, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2782, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 2026-22 Finance on S.B. No. 2790**

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, and Hawaii Health Systems Corporation. Your Committee received comments on this measure from the Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO.

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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2790, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2790, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 14. Noes, none. Excused, 1 (McDermott).

**SCRep. 2027-22 Finance on S.B. No. 3289**

The purpose of this measure is to establish the Hawaii Retirement Savings Program, a state-facilitated payroll-deduction retirement savings plan for private sector employees in Hawaii who do not have access to employer-sponsored retirement plans.

Your Committee received testimony in support of this measure from Common Cause Hawaii; Catholic Charities Hawai'i; Hawai'i Restaurant Association; Maui Chamber of Commerce; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; AARP Hawai'i; Policy Advisory Board for Elder Affairs; Hawai'i Primary Care Association; Hawai'i Public Health Institute; National Conference on Public Employee Retirement Systems; Adult Foster HomeCare Association of Hawaii; Alliance of Residential Care Administrators; and sixteen individuals. Your Committee received testimony in opposition to this measure from the American Council of Life Insurers, National Association of Insurance and Financial Advisors Hawaii, and two individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Budget and Finance, Department of Labor and Industrial Relations, Executive Office on Aging, Tax Foundation of Hawaii, Hawaiian Community Assets, Hawai'i Community Lending, and Retail Merchants of Hawaii.

Your Committee has amended this measure by:

- (1) Specifying that a covered employer is any person who is in business in the State, rather than any person who has been in business in the State for more than two years;
- (2) Removing the authorization for the Hawaii Retirement Savings Board to enter into service contracts with the Employees' Retirement System;
- (3) Authorizing, rather than requiring, the Hawaii Retirement Savings Board to:
  - (A) Develop and disseminate information to educate covered employees;
  - (B) Determine the time frame for development and implementation of the Hawaii Retirement Savings program (Program);
  - (C) Conduct a detailed implementation and evaluation study;
  - (D) Determine the level of staffing necessary for the Program; and
  - (E) Adopt rules and making the inclusion of rules governing certain subjects discretionary, rather than mandatory;
- (4) Authorizing, rather than requiring, the Department of Labor and Industrial Relations to adopt rules to govern the actions of the Hawaii Retirement Savings Board;
- (5) Clarifying when the annual audits shall begin;
- (6) Inserting an appropriation amount of \$1,255,000 for the implementation and operation of the Program, including the hiring of an Executive Director exempt from civil service and collective bargaining laws, a Program Specialist, and an Office Assistant;
- (7) Inserting an appropriation of \$1,000,000 for outreach and education on the Program;
- (8) Providing seed money of \$25,000,000 to be deposited into and appropriated out of the Hawaii Retirement Savings Special Fund to authorize a state match of \$500 for the first 50,000 participants who opt in to the Program;

- (9) Making it effective upon its approval; provided that the appropriations take effect on July 1, 2022; 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 Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3289, 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. 3289, S.D. 2, H.D. 2.

Signed by the Chair on behalf of the Committee.  
Ayes, 14. Noes, none. Excused, 1 (McDermott).

#### **SCRep. 2028-22 Higher Education & Technology on S.C.R. No. 12**

The purpose of this measure is to urge the Hawaii Broadband and Digital Equity Office to prioritize access to broadband services in rural areas throughout the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Common Cause Hawaii; and Hawaiian Telcom.

Your Committee finds that the ongoing COVID-19 pandemic highlights the significant need for access to broadband services in rural areas throughout Hawaii. Your Committee further finds that the importance of access to broadband service has only increased during the pandemic, including the ability to work and learn remotely; access to medical care through telehealth services; access to government services, such as filing unemployment claims, obtaining supplemental nutrition benefits, and securing vital records; and the ability to register for COVID-19 testing and vaccinations.

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. 12, 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, 5 (Gates, Quinlan, Woodson, Yamane, Okimoto).

#### **SCRep. 2029-22 Higher Education & Technology on S.C.R. No. 120**

The purpose of this measure is to urge the Public Utilities Commission to consider and adopt an efficient, streamlined process to review requests made by electric utilities under section 269-19, Hawaii Revised Statutes, to provide middle mile broadband services in furtherance of the State's efforts to expedite broadband access and equity, facilitate digital equity, and promote expeditious broadband deployment to areas of the State that are unserved and underserved.

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

Your Committee finds that existing regulated public utilities are able to provide foundational, diverse middle mile broadband services to internet service providers and other third parties without duplicating efforts or congesting rights-of-way or view planes, allowing electric utilities and internet service providers to partner together for the common good.

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. 120, 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, 10. Noes, none. Excused, 3 (Quinlan, Woodson, Okimoto).

#### **SCRep. 2030-22 Higher Education & Technology on S.C.R. No. 25**

The purpose of this measure is to recognize October 3 through October 7, 2022, as Digital Inclusion Week in Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism and Hawaii State Public Library System. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that digital equity ensures that all individuals and communities have the information technology capacity needed to take part fully in society, the economy, and democratic government, which is necessary for civic and cultural participation, distance learning and remote working, and access to essential services like telemedicine. This measure will help to raise awareness of the need for digital equity and to promote digital inclusion in the State.

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. 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, 10. Noes, none. Excused, 3 (Quinlan, Woodson, Okimoto).

#### **SCRep. 2031-22 Higher Education & Technology on S.C.R. No. 35**

The purpose of this measure is to request the University of Hawaii - West Oahu to re-establish its partnership with the University of Hawaii at Hilo to provide a nursing program similar to the Ike Maui Ola program and a pathway for students attending the University of Hawaii - West Oahu who are interested in pursuing a nursing career.

Your Committee received comments on this measure from the University of Hawaii'i System and Hawaii'i State Center for Nursing.

Your Committee finds that in Fall 2015, the University of Hawaii - West Oahu partnered with the University of Hawaii at Hilo to launch the Ike Maui Ola program, an innovative new pathway for students interested in pursuing a nursing career; however, the program was canceled in 2017. Your Committee further finds that the COVID-19 pandemic highlighted the State's significant nursing shortage and had the University of Hawaii - West Oahu maintained its partnership with the University of Hawaii at Hilo, more nurses would likely have been available to care for patients during the onset of the pandemic. This measure seeks to provide additional avenues for interested students at the University of Hawaii - West Oahu to pursue a career in nursing.

Your Committee has amended this measure by:

- (1) Requesting the University of Hawaii - West Oahu to partner with the University of Hawaii at Hilo or University of Hawaii at Manoa to provide a nursing program similar to the Ike Maui Ola program;
- (2) Changing its title to reflect its amended purpose;

- (3) Adding the Provost of the University of Hawaii at Manoa, Chancellor of the University of Hawaii - West Oahu, and Chancellor of the University of Hawaii at Hilo as recipients of certified copies of the measure; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Higher Education & Technology that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 35, 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. 35, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 10. Noes, none. Excused, 3 (Quinlan, Woodson, Okimoto).

#### **SCRep. 2032-22 Higher Education & Technology on S.C.R. No. 41**

The purpose of this measure is to request the Hawaii Broadband and Digital Equity Office of the Department of Business, Economic Development, and Tourism to conduct a data mapping study to identify geographically underserved and unserved areas 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 State has the responsibility to provide equitable access to broadband internet and service for residents as opportunities continue to arise in the areas of teleworking, distance learning, and telehealth. However, the experiences of Hawaii residents in rural areas, such as Hawaii island, Molokai, and Hana, Maui, demonstrate that the Federal Communications Commission's data maps lack information, data, and geographical knowledge regarding underserved and unserved communities in Hawaii. This measure seeks more accurate data maps to identify and assist areas in the State that are underserved and unserved with quality broadband connectivity.

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. 41, 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, 10. Noes, none. Excused, 3 (Quinlan, Woodson, Okimoto).

#### **SCRep. 2033-22 Labor & Tourism on S.C.R. No. 27**

The purpose of this measure is to request the Office of Enterprise Technology Services to conduct a feasibility study on the development of a statewide interagency system for filing and maintaining documents required of individuals and organizations accessing government services online.

Your Committee received testimony in support of this measure from the Department of Human Services, Office of Enterprise Technology Services, Hawai'i Alliance of Nonprofit Organizations, Hawai'i Children's Action Network Speaks!, Parents and Children Together, Transform Hawai'i Government, and one individual. Your Committee received comments on this measure from the Department of Labor and Industrial Relations.

Your Committee finds that many government services and programs require personal information for online access privileges and require documentation to be uploaded in certain instances. The same information often must be uploaded numerous times to access online services at different times or to access different services.

Your Committee further finds that a statewide interagency system for filing and maintenance of documents required to access government services online would improve efficiency and user experience. The Office of Enterprise Technology Services is uniquely positioned to study and implement such a system.

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. 27, 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 (Belatti, Okimoto).

#### **SCRep. 2034-22 Corrections, Military, & Veterans on S.C.R. No. 37**

The purpose of this measure is to express support for the naming of a United States Navy surface combatant ship after Fireman Second Class and Congressional Medal of Honor Recipient Telesforo Trinidad.

Your Committee did not receive any testimony on this measure.

Your Committee finds that Telesforo Trinidad earned the Medal of Honor for showing extraordinary heroism in the line of duty in response to boiler explosions aboard the USS San Diego while the ship was in the Gulf of California on January 21, 1915. Your Committee further finds that the naming of a Navy ship in honor of Mr. Trinidad, an American national of Filipino descent, would demonstrate the Navy's leadership and commitment to diversity, equality, and inclusion amid current racial tensions and would also mark the seventy-fifth anniversary of the establishment of diplomatic relations between the United States and the Republic of the Philippines and the seventieth anniversary of the Mutual Defense Treaty between the two countries.

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. 37, 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. 2035-22 Water & Land on S.C.R. No. 201**

The purpose of this measure is to strongly urge the United States Army Corps of Engineers to work with the Department of Land and Natural Resources to mitigate negative impacts to corals and other important coral reef resources while dredging in state waters.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Friends of Hanauma Bay, and two individuals.

Your Committee finds that coral reefs are vital to the health of Hawaii's fragile coastal ecosystem. In order to protect precious marine resources such as coral reefs, the Department of Land and Natural Resources has established a framework for prevention and mitigation, including administrative, criminal, and civil penalties for the destruction of corals and live rock. This measure seeks the cooperation of the United States Army Corps of Engineers in mitigating any adverse effects on corals and other important coral reef resources while dredging in state waters.

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. 201 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 (Kong, McDermott).

**SCRep. 2036-22 Water & Land on S.C.R. No. 204**

The purpose of this measure is to request the Department of Planning and Permitting of the City and County of Honolulu to publish on its website all decisions regarding waivers and variances.

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

Your Committee finds that the Director of Planning and Permitting of the City and County of Honolulu has the authority to grant or deny waivers of and variances to building and land-use requirements. These decisions affect communities and the quality of life of residents. However, the existing process for granting or denying waivers and variances lacks transparency because documents pertaining to those decisions are not readily accessible to members of the public.

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. 204, 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 (Kong, McDermott).

**SCRep. 2037-22 Water & Land on S.C.R. No. 176**

The purpose of this measure is to support the ongoing efforts by the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources to execute its priorities for Honokohau Small Boat Harbor as outlined in its improvement masterplan.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, two members of the Hawai'i County Council, Wee Guys Fishing Tournament, and one individual.

Your Committee finds that under the stewardship of the Division of Boating and Ocean Recreation, the Honokohau Small Boat Harbor has become a significant gathering place for the West Hawaii community. The Honokohau Small Boat Harbor sustains two hundred local businesses, making it the largest single contributor to West Hawaii's gross domestic product and generating \$2,000,000 directly to the State and over \$100,000,000 to Hawaii's gross domestic product annually.

Your Committee further finds that the Honokohau Small Boat Harbor improvement masterplan, which was developed with the assistance of the Honokohau Small Boat Harbor Working Group, should be implemented to address both current, immediate needs and future, long-term expansion.

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. 176 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 (Kong, McDermott).

**SCRep. 2038-22 Agriculture on S.C.R. No. 67**

The purpose of this measure is to request the Department of Agriculture to submit a report to the Legislature prior to the Regular Session of 2023 on pesticide inspections conducted within the past five years and strengthen statewide enforcement of restricted use pesticide requirements.

Your Committee received testimony in support of this measure from the Hawai'i Alliance for Progressive Action and three individuals. Your Committee received comments on this measure from the Department of Agriculture.

Your Committee finds that failure to adhere to restricted use pesticide requirements poses a significant risk to public health and the environment. Your Committee also finds that despite federal and state regulations regarding restricted use pesticides, these pesticides continue to be misused within the State. By requesting the Department of Agriculture to submit a report on pesticide inspections and strengthen enforcement of restricted use pesticide requirements in the State, your Committee believes that this measure is crucial to protecting public health and ensuring public confidence in the State's oversight of pesticide use.

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. 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 (Tokioka).

**SCRep. 2039-22 Agriculture on S.C.R. No. 76**

The purpose of this measure is to request the Board of Agriculture to establish a prohibition on unapproved residential uses of farm dwellings in agricultural parks and submit a report of its findings and recommendations to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in opposition to this measure from the Department of Agriculture.

Your Committee finds that agricultural parks are an essential component of the State's agricultural industry and the primary purpose of agricultural parks is for agricultural production. Your Committee further finds that this measure requests the Board of Agriculture to establish a prohibition on the unapproved residential use of farm dwellings on agricultural parks, which will help address numerous complaints that have been received from communities in or near agricultural parks regarding dust, noise, and other nuisances from the residential use of agricultural parks.

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. 76 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 (Tokioka).

**SCRep. 2040-22 Agriculture on S.C.R. No. 169**

The purpose of this measure is to request the Department of Agriculture to develop and implement a process to certify privately owned and operated plant quarantine facilities to allow for increased capacity of plant quarantine facilities in the State.

Your Committee received testimony in support of this measure from the Hawaii Coffee Growers Association. 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 one of the responsibilities of the Department of Agriculture's Plant Quarantine Branch is certifying plant quarantine facilities in the State, which are used to help prevent the introduction and spread of harmful pests and diseases, such as coffee leaf rust, into the State. Your Committee further finds that one solution to the spread of certain harmful pests and diseases is to replace existing plant stock with imported, resistant varieties; however, imported plant materials must be quarantined in state quarantine facilities or private, approved quarantine facilities, which are facilities that have received a certificate of approval from the Chief of the Plant Quarantine Branch. By requesting the Department of Agriculture to establish a process to certify privately owned and operated plant quarantine facilities, this measure seeks to increase the State's capacity to quarantine imported plant materials to address various plant pests and diseases that threaten the agricultural industry.

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. 169 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 (Tokioka).

#### **SCRep. 2041-22 Agriculture on S.C.R. No. 172**

The purpose of this measure is to request the Department of Agriculture to expand quarantine facilities administered by the Plant Quarantine Branch and submit a report of its findings and recommendations to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Hawaii Coffee Growers Association and one individual. Your Committee received comments on this measure from the Department of Agriculture and one individual.

Your Committee finds that one of the responsibilities of the Department of Agriculture's Plant Quarantine Branch is certifying plant quarantine facilities in the State, which are used to help prevent the introduction and spread of harmful pests and diseases, such as coffee leaf rust, into the State. Your Committee further finds that one solution to the spread of certain harmful pests and diseases is to replace existing plant stock with imported, resistant varieties; however, imported plant materials must be quarantined in state quarantine facilities or private, approved quarantine facilities, which are facilities that have received a certificate of approval from the Chief of the Plant Quarantine Branch. By requesting the Department of Agriculture to expand the plant quarantine facilities managed by its Plant Quarantine Branch, this measure seeks to increase the State's capacity to quarantine imported plant materials to address various plant pests and diseases that threaten the agricultural industry.

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. 172 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 (Tokioka).

#### **SCRep. 2042-22 Agriculture on S.C.R. No. 196**

The purpose of this measure is to urge the counties to strengthen their efforts to meaningfully enforce all laws, ordinances, and administrative rules regarding off-leash animals in public spaces to better protect the public and pet animals, including coordinating with county police departments, Department of Land and Natural Resources' Division of State Parks enforcement officers, and authorized humane societies or animal welfare organizations to enforce animal control in state parks and other public spaces.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and two individuals. Your Committee received comments on this measure from one individual.

Your Committee finds that all counties require dogs to be on a leash in public areas, except in certain enclosed public off-leash dog parks. Your Committee further finds that a majority of state and county parks and recreation areas prohibit all pet animals generally; however, despite clearly posted signs prohibiting animals, many persons bring dogs to such areas, creating a potentially dangerous situation for park users who have a reasonable expectation that lawful prohibitions on animals will be enforced. Your Committee also finds that humane societies or other animal welfare organizations in each county are authorized to provide animal control, impoundment, and destruction services under certain circumstances, in coordination with county police departments for incidents involving dog attacks. However, the delineation of roles and enforcement authority among county police departments, state park enforcement authorities, and animal welfare organizations can be unclear and confusing.

Your Committee finds that increased education of the public concerning leash laws, sanctions for violations of prohibitions on animals in certain parks and recreation areas, possible civil and criminal penalties in the event of dog attacks, and the roles of county or state law enforcement authorities and humane society or other animal welfare organization control officers would increase public confidence in enforcement and make public areas safer. This measure urges the counties to strengthen their efforts to enforce laws, ordinances, and rules regarding off-leash animals in public spaces and coordinate animal control services, thereby safeguarding the public's health and safety.

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. 196 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 (Tokioka).

#### **SCRep. 2043-22 Transportation on S.C.R. No. 138**

The purpose of this measure is to urge the City and County of Honolulu to celebrate the fiftieth anniversary of the Lanikai Bikeway and recognize the efforts of Ted Rodgers and Cynthia Thielen who led the efforts to establish it.

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

Your Committee finds that the Lanikai Bikeway was created in response to the unsafe road conditions for bikers along Lanikai's narrow roadways. Because this community effort was organized and led by Ted Rodgers and Cynthia Thielen, an official recognition of their leadership and advocacy will serve as a permanent reminder of their tangible contributions to protecting the community.

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 Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 138, 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. 138, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Kitagawa, Takumi).

**SCRep. 2044-22 Transportation on S.C.R. No. 167**

The purpose of this measure is to urge the Department of Transportation to convene an intergovernmental task force to recommend policy and provide guidance to assist the County of Hawaii in the establishment and formation of a metropolitan planning organization or a regional transportation planning organization.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that metropolitan planning organizations serve as a forum for collaboration among local communities and government agencies and allow for federal funds to support projects that increase access to opportunity and prosperity through improved multimodal pedestrian, bicycle, and transit options. Establishing a metropolitan planning organization for the County of Hawaii, should the County meet the population threshold, will improve the quality of transportation services for residents and visitors and help the County of Hawaii achieve its transportation goals.

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 concurs with the intent and purpose of S.C.R. No. 167, 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. 167, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Kitagawa, Takumi).

**SCRep. 2045-22 Transportation on S.C.R. No. 136**

The purpose of this measure is to request the Department of Transportation to create pedestrian-safe routes and pathways that lead to and from places of residence in such a manner that adheres to the unique needs of the senior citizen population.

Your Committee received testimony in support of this measure from the Department of Transportation and Health Committee of the Democratic Party of Hawai'i.

Your Committee finds that access to pedestrian-safe walkways, pathways, roadways, and other means of travel are essential for the growing senior population in Hawaii. Therefore, to ensure the independent living capabilities of the State's senior population, the creation of pedestrian-safe routes and pathways that adhere to the unique needs of this population will further promote a healthy and safe quality of life for Hawaii's kupuna.

Your Committee has amended this measure by:

- (1) Amending its title in accordance with its amended 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 Transportation that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 136, 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. 136, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Kitagawa, Takumi).

**SCRep. 2046-22 Transportation on S.C.R. No. 193**

The purpose of this measure is to request the Department of Transportation Airports Division to develop a preliminary draft thermal screening and tracing camera repurpose plan for its five major airports.

Your Committee received testimony in support of this measure from the Department of Transportation. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that during the coronavirus disease 2019 pandemic, the State took several measures to ensure the safety of the State and its residents, including the purchase and use of thermal screening and tracing camera equipment at the State's five major airports. Because the thermal screening and tracing camera equipment maintenance contract will terminate at the end of June 2022, it would be fiscally responsible for the Department of Transportation Airports Division to find uses for the equipment for the betterment of the airports and traveling public.

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. 193 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 (Kitagawa, Takumi).

**SCRep. 2047-22 Economic Development on S.C.R. No. 21**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the economic impacts of domestic out-of-state students.

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.

Your Committee finds that an October 2020 report by the Department of Business, Economic Development, and Tourism analyzed the impact of international students on the State's economy and estimated that international students contributed roughly \$185,000,000 to the State's economy in living expenses, tuition, and other economic activities. This report illustrated the powerful economic impact of international students in the State and brings to light the potential impact that domestic out-of-state students may have on the State's economy. This measure would expand on the information first identified in the 2020 report by focusing on the potential economic impact of domestic out-of-state students 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 concurs with the intent and purpose of S.C.R. No. 21, 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 (Belatti).

#### **SCRep. 2048-22 Economic Development on S.C.R. No. 22**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the "Made in Hawaii" and "Hawaii Made" brands and prepare a plan to encourage and enforce the use of those brands.

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.

Your Committee finds that as an integral part of the State's economic development strategy, the Legislature passed Act 2, Special Session Laws of Hawaii 2021, which created the "Hawaii Made" program for manufactured products to be administered by the Department of Business, Economic Development, and Tourism. However, there are concerns regarding an overlap of jurisdictional authority between the "Hawaii Made" program under the Department of Business, Economic Development, and Tourism and the "Made in Hawaii with Aloha" brand under the Department of Agriculture. Your Committee believes that clarification is required regarding the purpose, scope, and enforcement of the "Hawaii Made" and "Made in Hawaii" programs to better ensure the integrity of products produced 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 Economic Development that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 22, 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, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 2049-22 Energy & Environmental Protection on S.C.R. No. 233**

The purpose of this measure is to encourage the City and County of Honolulu to expand and improve services at the Waianae Convenience Center.

Your Committee received testimony in support of this measure from one individual.

Your Committee finds that the Waianae Convenience Center, operated by the Department of Environmental Services Refuse Division of the City and County of Honolulu, serves the residents on the west side of Oahu in the disposal of bulky items and other waste. However, due to extreme wait times and other issues, residents are forced to drive with heavy loads of bulky items or other waste on or in their vehicles, creating unsafe conditions in transporting the bulky items. Therefore, it is essential to ensure that the Waianae Convenience Center is properly maintained and staffed as it continues to serve local residents.

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. 233 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 (Todd, Tokioka).

#### **SCRep. 2050-22 Energy & Environmental Protection on S.C.R. No. 106**

The purpose of this measure is to:

- (1) Request the Governor to establish an infrastructure task force, made up of relevant agencies and departments, to coordinate the use of federal funds for climate resilience and equity and to implement guidelines for state projects to ensure that they promote climate resilience and equity; and
- (2) Request the Governor and infrastructure task force to facilitate the application process for federal funding to advance the state's climate resilience and equity goals.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i, Sierra Club of Hawai'i, and one individual.

Your Committee finds that climate change is already affecting the State with the increased frequency of extreme weather events. Additionally, the damage and costs of climate change will continue to grow without appropriate public action. Therefore, it is essential that the State take additional steps to reduce its contributions to climate change, particularly for Hawaii's most vulnerable populations.

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. 106 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 (Todd, Tokioka).

#### **SCRep. 2051-22 Energy & Environmental Protection on S.C.R. No. 107**

The purpose of this measure is to urge the State and each county to adopt the Global Pact to achieve the United Nations Paris Agreement and the 2030 Development Agenda, including to specifically adopt the United Nations sustainable development goals numbers 13 through 17.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Institute for Human Rights, and Hawai'i Forest Industry Association.

Your Committee finds that the United Nations General Assembly adopted the 2030 Development Agenda, which includes seventeen sustainable development goals. Because certain sustainable development goals are vital and relevant to protecting the State's land and people, this measure urges the State and local government entities to adopt these goals as local policy and governing principles to further prioritize the balance and integrity of the State's fragile ecosystem.

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. 107 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 (Todd, Tokioka).

#### **SCRep. 2052-22 Energy & Environmental Protection on S.C.R. No. 57**

The purpose of this measure is to request the Governor to endorse the Ellen MacArthur Foundation and United Nations Environment Programme's New Plastics Economy Global Commitment.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i, Hawai'i Reef and Ocean Coalition, 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 Planning and Sustainable Development.

Your Committee finds that single-use plastics continue to threaten the State's health and environment. Adopting the New Plastics Economy Global Commitment would lessen the State's reliance on single-plastic products and limit plastic waste in the State.

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. 57, 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 (Todd, Tokioka).

#### **SCRep. 2053-22 Energy & Environmental Protection on S.C.R. No. 94**

The purpose of this measure is to request the Hawaii State Energy Office to engage the United States Department of Energy to establish a permanent presence within the State of Hawaii.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Department of Commerce and Consumer Affairs; Hawaii Green Infrastructure Authority; Natural Energy Laboratory of Hawaii Authority; Hawaii Technology Development Corporation; Hawaii State Energy Office; Hawai'i Natural Energy Institute; Public Utilities Commission; Hawaiian Electric Company; and Hawai'i Gas.

Your Committee finds that the United States Department of Energy has had a long-established presence in Hawaii through partnerships with state and county agencies, the private sector, and local communities. Establishing a permanent presence for the United States Department of Energy in the State would further strengthen these partnerships and the promotion of clean energy in the State and throughout the Indo-Pacific region.

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. 94, 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 (Todd, Tokioka).

#### **SCRep. 2054-22 Energy & Environmental Protection on S.C.R. No. 244**

The purpose of this measure is to engage, endorse, accept, and adopt the Aarhus Convention to achieve the United Nations Paris Agreement, 2030 Agenda for Sustainable Development, and Universal Declaration of Human Rights.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i and Hawai'i Institute for Human Rights.

Your Committee finds that the State is recognized as a global partner and local leader in promoting human rights. Guided by traditional Hawaiian values, the State exemplifies good governance and ensures participation in policymaking and the protection of the State's natural resources. The adoption of the Aarhus Convention will help the State further move toward achieving the goals of the United Nations Paris Agreement and 2030 Agenda for Sustainable Development.

Your Committee has amended this measure by:

- (1) Amending its title to make a technical, nonsubstantive amendment; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 244, 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. 244, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 2055-22 Energy & Environmental Protection on S.C.R. No. 108**

The purpose of this measure is to affirm Hawaii's ongoing commitment to the goals of the Paris Climate Agreement and United Nations Sustainable Development Goals and endorsement of the Fossil Fuel Non-Proliferation Treaty.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, one member of the Maui County Council, Climate Protectors Hawai'i, 350Hawaii.org, Hawai'i Institute for Human Rights, Hawai'i Forest Industry Association, and three individuals.

Your Committee finds that human activities have accelerated global climate change, which represents one of the preeminent threats to the world. Additionally, the construction of new fossil fuel infrastructure and expanded reliance on fossil fuels expose communities to untenable risks to public health and safety at the local and global levels. Therefore, it is essential to commit to ambitious investments in green infrastructure to rapidly decarbonize the economy.

Your Committee has amended this measure by:

- (1) Amending its title to make technical, nonsubstantive amendments; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 108, 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. 108, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2056-22 Energy & Environmental Protection on S.C.R. No. 243**

The purpose of this measure is to engage, endorse, accept, and adopt the New York Declaration on Forests to achieve the United Nations Paris Agreement and 2030 Agenda for Sustainable Development, specifically Sustainable Development Goal 15, Life on Land.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Climate Protectors Hawai'i, and Hawai'i Institute for Human Rights.

Your Committee finds that the State's forests play a pivotal role in Hawaii's natural environment by providing watershed, soil, and habitat protection. While the State is already participating in global efforts to protect the planet and end poverty, the adoption of the New York Declaration on Forests can accelerate progress with new partnerships to achieve the United Nations Paris Agreement and 2030 Agenda for Sustainable Development.

Your Committee has amended this measure by:

- (1) Amending its title to make a technical, nonsubstantive amendment; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 243, 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. 243, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2057-22 Energy & Environmental Protection on S.C.R. No. 146**

The purpose of this measure is to request the Director of Transportation to convene a task force on best practices and successful efforts to green transportation infrastructure and public infrastructure in jurisdictions outside of Hawaii.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i and Trees for Honolulu's Future. Your Committee received comments on this measure from the Department of Transportation.

Your Committee finds that climate change poses a serious threat to the State's economy, sustainability, and natural resources. Understanding the landscape of other jurisdictions' efforts to green transportation infrastructure and public infrastructure can assist the Department of Transportation and other state agencies with green infrastructure plans to combat climate change.

Your Committee has amended this measure by:

- (1) Amending its title to make technical, nonsubstantive amendments; 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 Energy & Environmental Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 146, 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. 146, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 6; Ayes with Reservations (Matayoshi). Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2058-22 Culture, Arts, & International Affairs on S.C.R. No. 203**

The purpose of this measure is to urge the Department of Land and Natural Resources to develop programs to recapture, retain, and share cultural and environmental knowledge of limu kala.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'āina Ulu 'Auamo, Limu Hui, Marine Science Learning Center at Wai'anae High School, Mālama Pūpūkea-Waimea, Friends of Hanauma Bay, Hawai'i Reef and Ocean Coalition, and five individuals.

Your Committee finds that limu plays an important and vital role in the health of reef ecosystems and is a critical part of many marine life habitats. Your Committee further finds that limu kala plays a similarly important role in Native Hawaiian culture. Limu is a vitamin-, mineral-, and fiber-rich food source; was used in traditional medicine to treat minor cuts and scratches; and is used in cultural ceremonies. This measure addresses the steep decline in limu by urging the Department of Land and Natural Resources to develop programs to recapture, retain, and share cultural and environmental knowledge of limu kala.

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. 203 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.  
Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2059-22 Culture, Arts, & International Affairs on S.C.R. No. 50**

The purpose of this measure is to designate the Waianae Moku Kupuna Council as an advisory resource to the elected members of the Legislature representing the Waianae Moku community.

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

Your Committee finds that kupuna have long held respected and revered places in Hawaii's households, families, and communities. Your Committee further finds that the Waianae Moku Kupuna Council, which consists of long-time residents of west Oahu who are Hawaiian cultural practitioners sixty years of age or older, is a valuable resource of historical and cultural knowledge about the Waianae Moku community. This measure encourages elected members of the Legislature who represent the Waianae Moku community to consult with the Waianae Moku Kupuna Council on issues that are of importance to the Waianae Moku community.

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. 50, 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, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2060-22 Culture, Arts, & International Affairs on S.C.R. No. 179**

The purpose of this measure is to designate March 10 as Enewetak Atoll (Marshall Islands) Liberation Day.

Your Committee received testimony in support of this measure from the Office of the Mayor of the County of Hawai'i and two individuals.

Your Committee finds that Enewetak Atoll, along with the rest of the Marshall Islands, was captured by the Imperial Japanese Navy in 1914 during World War I and mandated to the Empire of Japan by the League of Nations in 1920. Although an initially beneficial arrangement, during World War II the inhabitants of Enewetak Atoll suffered significant hardships, including physical harm, hard labor, starvation, and executions, until the atoll was liberated from Japanese occupation in February of 1944 during the Battle of Eniwetok. Subsequently, the Enewetak residents commemorated March 10, 1944, as the day they "came out of the holes" after the Battle of Eniwetok.

Your Committee finds that March 10 was later selected as a day of celebration in the 1970s to commemorate the defeat of the Japanese by the United States and has come to be known as "Liberation Day" and is one of the most important and enjoyable events on Enewetak Atoll. Your Committee further finds that many people from Enewetak Atoll are displaced immigrants who reside on the island of Hawaii. This measure recognizes, honors, and remembers the people of Enewetak Atoll and their descendants in Hawaii by designating March 10 as Enewetak Atoll (Marshall Islands) Liberation 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 S.C.R. No. 179, 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, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2061-22 Culture, Arts, & International Affairs on S.C.R. No. 118**

The purpose of this measure is to request the Creative Resurgence Task Force to continue to examine and determine measures and establish policies and programs to build and foster creativity and innovation through the arts, culture, and humanities in the State.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; and State Foundation on Culture and the Arts.

Your Committee finds that the coronavirus disease 2019 (COVID-19) pandemic has significantly and disproportionately impacted the State's creative economy, with many industries suffering immense economic loss. Additionally, with the disruption to in-person education caused by the COVID-19 pandemic, creativity in schools and universities has diminished, resulting in significant losses to arts education and the humanities. In response, the Legislature adopted Senate Concurrent Resolution 242, S.D. 1, H.D. 1 (S.C.R. No. 242) in 2021, which called for the convening of a Creative Resurgence Task Force to build and foster creativity and innovation through the arts, culture, and humanities in the State. Your Committee further finds that while the Creative Resurgence Task Force has met several times since the adoption of S.C.R. No. 242 with fruitful discussions and work product, it needs additional time beyond the June 30, 2022, sunset date established by S.C.R. No. 242 to conduct its work. This measure recognizes the fruitful work done by the Creative Resurgence Task Force and requests that it continue its good work beyond June 30, 2022.

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. 118, S.D. 1, and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2062-22 Culture, Arts, & International Affairs on S.C.R. No. 83**

The purpose of this measure is to request the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System to collaborate for the establishment of a Hawaii State Poet Laureate Program.

Your Committee received testimony in support of this measure from the State Foundation on Culture and the Arts, Hawai'i Council for the Humanities, Bamboo Ridge Press, and six individuals.

Your Committee finds that Hawaii has a rich and diverse culture that melds the customs, art, history, and music of the many people and cultures of Hawaii. Your Committee further finds that the State's commitment to the preservation and advancement of culture, the arts, history, and the humanities is best served through the establishment of a state poet laureate who will encourage the blending of multicultural voices, languages, and traditions through poetry and literature. Your Committee believes that the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System have the qualifications to establish a Hawaii State Poet Laureate Program to nurture and connect the various cultures in Hawaii through the promotion of poetry.

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. 83 and recommends that it be referred to your Committee on Finance.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2063-22 Culture, Arts, & International Affairs on S.C.R. No. 72**

The purpose of this measure is to establish a sister-state relationship between the State of Hawaii and the Autonomous Region of Madeira, Portugal.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; and Honorary Consul of Portugal in Hawaii.

Your Committee finds that Hawaii has a long and strong historical bond with the people of Madeira, beginning with the arrival in Honolulu Harbor of one hundred eighty contract laborers from Madeira on September 30, 1878. The culture of the immigrants from Madeira have become integral parts of Hawaii's culture, from food to music.

Your Committee further finds that Hawaii has a deep and abiding interest in expanding its international ties and developing goodwill, friendship, and economic relations between the people of Hawaii and the people of many nations. Your Committee believes that establishing a sister-state relationship with the Autonomous Region of Madeira will further these goals and be highly beneficial in expanding tourism, strengthening cultural and historical bonds, and advancing common goals of international peace and fellowship.

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. 72, 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, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

**SCRep. 2064-22 Culture, Arts, & International Affairs on S.C.R. No. 121**

The purpose of this measure is to urge the counties and the State to work with Huamakahikina and Kumu Hula to establish policies protecting hula.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that Huamakahikina was first convened in 2020 to promote the voices of Kumu Hula, or those recognized to represent hula lineages and advocate for the proper preservation of hula. Your Committee further finds that growing interest in Hawaiian culture has unfortunately also led to misrepresentation and dissemination of incorrect choreography, designs, proper names, and lexicons of hula by persons who teach hula without being acknowledged as Kumu Hula. This measure protects hula by urging the State and counties to develop policies and increase resources to perpetuate hula for future generations.

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. 121 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

**SCRep. 2065-22 Culture, Arts, & International Affairs on S.C.R. No. 185**

The purpose of this measure is to denounce Russia's actions causing a humanitarian crisis in Ukraine and urge the United States Congress to take concrete action to support Ukrainian refugees and to increase the refugee limits for the United States and increase funding related to those efforts.

Your Committee received testimony in support of this measure from the Office of Community Services.

Your Committee finds that the Russian invasion of Ukraine has created a devastating humanitarian crisis, with millions of Ukrainians, many of them women, children, and the elderly, fleeing the country. Your Committee further finds that countries like Poland, Romania, and Moldova are taking a disproportionate number of Ukrainian refugees compared to the rest of the world. According to the UN Refugee Agency, as of March 31, 2022, Poland had received 2,384,814 refugees, Romania had received 623,627 refugees, and Moldova had received 390,1987 refugees. Although the United States has taken some steps toward helping Ukrainian refugees, your Committee finds that additional, concrete steps should be taken to provide further support to address this ongoing crisis.

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. 185, 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, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

**SCRep. 2066-22 Culture, Arts, & International Affairs on S.C.R. No. 212**

The purpose of this measure is to request the Governor to establish a Hawaii Commission on the United States Semiquincentennial by executive order.

Your Committee did not receive any written testimony on this measure.

Your Committee finds that July 4, 2026, marks the 250<sup>th</sup> anniversary of the signing of the Declaration of Independence and founding of the United States. Your Committee further finds that the United States Semiquincentennial Commission (Commission) was created to provide for the observance and commemoration of the 250<sup>th</sup> anniversary, and that the Commission and its nonprofit partner America250 Foundation are working to organize and facilitate the observance of this historic milestone. This measure seeks to commemorate and coordinate the State's celebration of this historic event by urging the Governor to create a Hawaii Commission on the United States Semiquincentennial.

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. 212, 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, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

**SCRep. 2067-22 Culture, Arts, & International Affairs on S.C.R. No. 132**

The purpose of this measure is to request the University of Hawaii to report on the Pamantasan Council's systemwide efforts to improve the status of Filipinos at the University of Hawaii.

Your Committee received testimony in support of this measure from the Samahang Filipino Club at Hawai'i Community College in Hilo, Hawai'i Friends of Civil Rights, Tinalak Filipino Education Council, and thirteen individuals.

Your Committee finds that although Filipino student representation and academic performance have increased at all University of Hawaii campuses, Filipino students continue to be underrepresented at both the undergraduate and graduate level, and Filipino faculty are underrepresented at all University of Hawaii campuses. Your Committee further finds that the University of Hawaii Pamantasan Council, established in 1987, has been working diligently to increase representation of Filipino students, faculty, staff, and curriculum at the University of Hawaii. Although funds were appropriated to the Pamantasan Council by Act 266, Session Laws of Hawaii 2019, because of the COVID-19 pandemic and resulting budget cuts, the monies were not used as intended. This measure seeks a report from the University of Hawaii on the Pamantasan Council's efforts to improve the status of Filipinos at the University of Hawaii, including resource and budgetary needs.

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. 132 and recommends that it be referred to your Committee on Higher Education & Technology.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

**SCRep. 2068-22 Culture, Arts, & International Affairs on S.C.R. No. 24**

The purpose of this measure is to recognize April 17 through April 23, 2022, as Volunteer Week in Hawaii.

Your Committee received testimony in support of this measure from Aloha United Way, Kanu Hawaii, and one individual.

Your Committee finds that National Volunteer Week, first designated by President Nixon in 1974, empowers volunteers and serves as a reminder that individuals and communities are at the center of social change. Your Committee further finds that ongoing recognition of Volunteer Week in Hawaii will serve as a call to action for volunteerism and community engagement. This measure mirrors national recognition of volunteers by recognizing April 17 through April 23, 2022, as Volunteer Week in the State of Hawaii.



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. 24, 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, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2069-22 Culture, Arts, & International Affairs on S.C.R. No. 195**

The purpose of this measure is to urge the United States Congress to enact federal legislation granting statehood to the people of Washington, D.C.

Your Committee received testimony in support of this measure from the Americans for Democratic Action Hawaii; Common Cause Hawaii; United Public Workers, AFSCME Local 646, AFL-CIO; and American Civil Liberties Union of Hawai'i.

Your Committee finds that although the residents of the District of Columbia share all of the responsibilities of other taxpaying citizens of the United States, including paying federal taxes, serving on federal juries, and serving as members of the United States Armed Forces, they are denied full representation in Congress. Your Committee further finds that no other democratic nation denies the right of self-government to the residents of its capital. This measure urges members of the United States Congress to give the people of Washington, D.C., the same rights of self-governance and citizenship as other taxpaying American citizens by enacting federal legislation granting statehood to Washington, D.C.

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. 195 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2070-22 Energy & Environmental Protection on S.C.R. No. 48**

The purpose of this measure is to request the Public Utilities Commission, in consultation with the Division of Consumer Advocacy, to consider efforts to mitigate high energy burdens for low- and moderate-income customers and investigate how to integrate considerations of energy equity and justice across its work.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Public Utilities Commission, and Climate Protectors Hawai'i.

Your Committee finds that despite Hawaii having the highest electricity rates in the nation, the electric utilities in the State do not offer utility specific low- to moderate-income discount rates and have limited, if any, bill assistance options. Therefore, it is critical to assist low- and limited-income customers by reducing their residential electricity burden and ensuring continued access to electrical power.

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. 48, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2071-22 Culture, Arts, & International Affairs on S.C.R. No. 20**

The purpose of this measure is to encourage all counties of Hawaii to create a special number plate design for motor vehicles to commemorate the accomplishments of Carissa Kainani Moore.

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

Your Committee finds that Carissa Kainani Moore is an accomplished and experience surfer, becoming the youngest person to win a surfing world title at age eighteen and the first female gold medalist in Olympic surfing history. Your Committee further finds that in addition to Ms. Moore's many accomplishments on the water, she is an outstanding member of Hawaii's community and has donated her time and resources to numerous causes. This measure recognizes and honors Ms. Moore's contributions in and out of the water by encouraging all counties in the State to create a special number plate to commemorate her accomplishments.

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. 20 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2072-22 Agriculture/Health, Human Services, & Homelessness on S.C.R. No. 215**

The purpose of this measure is to request various state government entities to take certain actions to effectively leverage educational resources in the State to ensure career readiness workforce development, including requesting:

- (1) The University of Hawaii to examine the feasibility of offering a nursing program, allied health program, or both, at Honolulu Community College, and identify and improve alignment of University of Hawaii workforce development training programs with certain plans; and
- (2) The Legislative Reference Bureau to perform a comparative analysis of the University of Hawaii at Manoa College of Tropical Agriculture and Human Resources (CTAHR) and similar cooperative extension agencies nationwide, evaluate CTAHR and its leadership, and make recommendations to better align CTAHR's mission with statewide food security goals.

Your Committees received testimony in support of this measure from Hawaii P-20 Partnerships for Education and one individual. Your Committees received comments on this measure from the University of Hawai'i System, Legislative Reference Bureau, and one individual.

Your Committees find that the State is experiencing a significant shortage of workers in all sectors, including agriculture and health care. However, based on testimony on this measure, your Committees note that the nursing shortage in the State is an immediate threat to the health and welfare of Hawaii residents. Your Committees further note that nursing and other health care shortages in the State, as well as the nation, are likely to worsen due to factors such as rising health care demands due to an aging population, an aging work force, shortages of health care educators and faculty, and nursing turnover.

Your Committees note that this measure, as introduced, requests the University of Hawaii to examine the feasibility and accessibility of developing and implementing a nursing program at Honolulu Community College. Your Committees find that the University of Hawaii has been participating in meetings of the Western Interstate Commission for Higher Education to share strategies and best practices on the nursing shortage crisis. In addition, the University of

Hawaii Community Colleges have been working collaboratively to meet Hawaii's health care and nursing workforce needs. Your Committees further note that developing a nursing program at Honolulu Community College would provide students from the surrounding areas with greater educational and professional opportunities in health care, as well as opportunities to participate in rotations with health care providers.

Upon consideration, your Committees have amended this measure by:

- (1) Reverting to the language contained in this measure as introduced, which requests the University of Hawaii to:
  - (A) Examine the feasibility and accessibility of developing and implementing a nursing program at Honolulu Community College; and
  - (B) Submit a report of its findings and recommendations to the Legislature prior to the convening of the Regular Session of 2023;
- (2) Amending its title in accordance with its amended purpose; 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 Agriculture and Health, Human Services, & Homelessness that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 215, S.D. 1, as amended herein, and recommend that it be referred to your Committee on Higher Education & Technology, in the form attached hereto as S.C.R. No. 215, S.D. 1, H.D. 1.

Signed by the Chairs on behalf of the Committees.

Agriculture: Ayes, 5. Noes, none. Excused, 3 (Marten, Tokioka, Matsumoto).

Health, Human Services, & Homelessness: Ayes, 4. Noes, none. Excused, 3 (Har, Nishimoto, Ward).

#### **SCRep. 2073-22 Consumer Protection & Commerce on S.C.R. No. 61**

The purpose of this measure is to request the Auditor to assess the social and financial effects of mandatory health insurance coverage for hearing aids.

Your Committee received testimony in support of this measure from Kaiser Permanente Hawai'i and three individuals. Your Committee received comments on this measure from the Hawaii Association of Health Plans and Hawaii Medical Service Association.

Your Committee finds that one-third of Americans between the ages of sixty-five years and seventy-five years and one-half of Americans older than seventy-five years of age have some degree of hearing loss. Your Committee further finds that, while most health insurance plans in the State cover the purchase of hearing aids, typically the coverage is low and leaves the patient with a large copayment. This measure therefore requests the Auditor to conduct an impact assessment report on the social and financial effects of mandated health insurance coverage for hearing aids, as proposed by Senate Bill No. 2439, S.D. 2, Regular Session of 2022.

Your Committee has amended this measure by expanding the contents of the Auditor's assessment to include:

- (1) The number of residents in the State in the target population who suffer hearing loss based on national prevalence rates;
- (2) A determination of the current standard for frequency of replacement and the cost limitations, if any, placed on the hearing aid coverage benefit, by researching public and private entities that provide coverage for hearing aids and individuals who need, use, or otherwise experience the need for hearing aids;
- (3) Whether different standards for frequency of replacement are applied to adults in comparison to minors in need of hearing aids;
- (4) An examination of the existing medically necessary standards of care used to determine what type of hearing aid best suits an individual with hearing loss; and
- (5) An examination of the existing technology in hearing aids and possible future 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 concurs with the intent and purpose of S.C.R. No. 61, 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. 61, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 9. Noes, none. Excused, 2 (Mizuno, Tarnas).

#### **SCRep. 2074-22 Consumer Protection & Commerce on S.C.R. No. 122**

The purpose of this measure is to request the Auditor to conduct a sunrise analysis of the regulation and licensure of school psychologists.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Education, and Board of Psychology. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that school psychologists provide effective services to help children and youth with their social-emotional learning needs and can work with parents, educators, and other professionals to create supportive learning and social environments for all children. Your Committee further finds that school psychologists are not presently subject to regulation or required to undergo any formal credentialing process by the State. This measure therefore requests the Auditor to conduct a sunrise analysis of the regulation and licensure of school psychologists, as proposed by Senate Bill No. 1274, Regular Session of 2021.

Your Committee notes that the Department of Education and Board of Psychology raised various questions and issues in their written testimonies submitted to your Committee that each believes the sunrise analysis may be able to resolve or clarify. Your Committee requests that the Auditor address the concerns listed in the written testimonies of the Department of Education and Board of Psychology as part of the sunrise analysis.

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. 122, 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, 2 (Mizuno, Tarnas).

#### **SCRep. 2075-22 Health, Human Services, & Homelessness on S.C.R. No. 241**

The purpose of this measure is to request the Auditor to assess the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

Your Committee received testimony in support of this measure from Hawaii Society of Clinical Oncology and Alliance for Fertility Preservation.

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 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, 5. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2076-22 Health, Human Services, & Homelessness on S.C.R. No. 2**

The purpose of this measure to request the Auditor to conduct a sunrise review of the certification and regulation of community health workers.

Your Committee received testimony in support of this measure from Hawaii State Department of Commerce and Consumer Affairs, Hawaii State Department of Health, Hawaii Primary Care Association, Hawaii Public Health Institute and two individuals. Your Committee received comments on this measure from Hawaii State Office of the Auditor, Hawaii CHW Association and Papa ola Lokahi.

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 S.C.R. No. 2, 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. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2077-22 Health, Human Services, & Homelessness on S.C.R. No. 10**

The purpose of this measure is to request that the Department of Human Services review the existing Medicaid reimbursement rates and study the feasibility and determine the overall impact of increasing these rates for community care foster family homes, expanded adult residential care homes, and other types of home and community based service care providers and services.

Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that community care foster family homes and expanded adult residential care homes provide additional options for patients requiring nursing home-level care throughout Hawaii. Your Committee further finds that the initial federal Medicaid waiver for the State's community care foster family homes program was approved based on the program's initial success as a high-quality alternative to nursing home placement for Medicaid patients that cost two-thirds or less than placement in a nursing home. However, the level of reimbursement for community care foster homes has not kept pace with that two-thirds requirement. As a result, many community care foster homes refuse to accept Medicaid patients and save empty beds for patients with private insurance, which reduces the number of beds available for Medicaid patients.

This measure addresses the ongoing lack of lower cost long-term care services in Hawaii by requesting that the Department of Human Services review existing Medicaid reimbursement rates and study the feasibility and determine the overall impact of increasing these rates for community care foster family homes, expanded adult residential care homes, and other types of home and community based service care providers and 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 concurs with the intent and purpose of S.C.R. No. 10, 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. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2078-22 Health, Human Services, & Homelessness on S.C.R. No. 33**

The purpose of this measure is to request The Blood Bank of Hawaii to immediately adopt The Food and Drug Administration's guidance, which shortens or eliminates the deferral period for certain blood donors.

Your Committee received testimony in support of this measure from one individual. Your Committee received testimony in opposition to this measure from one individual.

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 S.C.R. No. 33, 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 (Ward). Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2079-22 Health, Human Services, & Homelessness on S.C.R. No. 42**

The purpose of this measure urges the Hawaii Health Systems Corporation to expand the Ka'u Rural Health Clinic to improve access to urgent care and outpatient behavioral health services.

Your Committee received testimony in support of this measure from Hawaii County Council, OCVA and one individual.

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 S.C.R. No. 42 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, 2 (Gates, Har).

**SCRep. 2080-22 Health, Human Services, & Homelessness on S.C.R. No. 53**

The purpose of this measure is to designate the month of September 2022 as Child Care Provider Appreciation Month.

Your Committee received testimony in support of this measure from the Hawaii State Executive Office on Early Learning, Hawaii Children's Action Network Speaks!, Catholic Charities Hawaii, Early Childhood Action Strategy and six individuals.

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 S.C.R. No. 53, 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. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2081-22 Health, Human Services, & Homelessness on S.C.R. No. 62**

The purpose of this measure is to request the Auditor to conduct a social and financial assessment of proposed mandatory health coverage for various sexual and reproductive health care services.

Your Committee received testimony in support of this measure from Planned Parenthood Alliance Advocates - Hawai'i and six individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that federal protections for abortion, preventive care, contraceptives, and other sexual and reproductive health care services are consistently threatened. Your Committee further finds that facilitating access to preventive sexual and reproductive health care services and limiting out-of-pocket costs for preventive sexual and reproductive health care services is critical for the health and economic security of all people in Hawaii and will help avoid more costly treatments in the future.

Your Committee notes that comprehensive health insurance coverage for a full range of sexual and reproductive health care services, without cost sharing, is not generally covered by health insurance and would be considered a new mandated benefit. This measure therefore requests the Auditor to conduct a statutorily required impact assessment report on the social and financial effects of the mandated health insurance coverage for various sexual and reproductive health care services proposed by House Bill No. 249 (Regular Session of 2021).

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 S.C.R. No. 62, 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 (Ward). Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2082-22 Health, Human Services, & Homelessness on S.C.R. No. 82**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Department of Health, Hawaii State Hospital and Hawaii Information Portal.

Your Committee received testimony in support of this measure from HGEA, and two individuals. Your Committee received comments on this measure from the Hawaii State office of the Auditor and one individual.

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 S.C.R. No. 82 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, 2 (Gates, Har).

**SCRep. 2083-22 Health, Human Services, & Homelessness on S.C.R. No. 100**

The purpose of this measure is to the Department of Health to convene a Therapeutic Psilocybin Working Group to examine the medicinal and therapeutic effects of psilocybin and develop a long-term strategic plan, should Food and Drug Administration approval for medical use be obtained, to enable the availability of therapeutic psilocybin or psilocybin-based products that are safe, accessible, and affordable for adults twenty-one years of age or older.

Your Committee received testimony in support of this measure from Hawaii Health and Harm Reduction Center, Drug Policy Forum of Hawaii, Akamai Cannabis Consulting, Clarity Project, US Army Female Veterans and Healthcare Workers Hawaii and eighteen individuals. Your Committee received testimony in opposition to this measure from Hawaii State Department of Health and Hawaii Psychiatric Medical Association.

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 S.C.R. No. 100, 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. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2084-22 Health, Human Services, & Homelessness on S.C.R. No. 102**

The purpose of this measure is to request that the Office of the Auditor update its Child Welfare Services Branch assessment standard pursuant to House Concurrent Resolution No. 165, Regular Session of 2010.

Your Committee received testimony in support of this measure from six individuals. Your Committee received comments on this measure from the Department of Human Services and Office of the Auditor.

Your Committee finds that the Child Welfare Services Branch of the Department of Human Services is responsible for protecting the well-being of children in Hawaii, including children who are wards of the State and children who have allegedly been neglected or abused. However, concerns have been raised regarding the State's performance in meeting certain safety, permanency, and well-being outcomes for children involved in the child welfare system.

Your Committee further finds that this measure, as introduced, requests the Office of the Auditor to conduct a performance audit of the Child Welfare Service Branch of the Department of Human Services. Your Committee further finds that a performance audit by the Office of the Auditor may be able to assist the Child Welfare Services Branch evaluate improvements since the last periodic federal review of the Branch and improve the recruitment and retention of its staff.

Accordingly, your Committee has amended this measure by:

- (1) Reverting to the contents of this measure as introduced; and
- (2) Amending its title to reflect its amended purpose.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness 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 Finance 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, 5. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2085-22 Health, Human Services, & Homelessness on S.C.R. No. 130**

The purpose of this measure is to request that the Department of Health and Department of Human Services:

- (1) Jointly review any research regarding applied behavioral analysis for adults; and
- (2) Develop and adopt all rules, policies, and Medicaid state plan amendments necessary to ensure that the State Medicaid program covers medically-needed services, including applied behavioral analysis services, for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Kuhn Behavioral Consulting Services, Hawaii Disability Rights Center, Council of Autism Service Providers, and three 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 Human Services, Autism Speaks, Hawai'i Association for Behavior Analysis, and two individuals.

Your Committee finds that treatments such as applied behavioral analysis for individuals with neurodevelopmental disorders can improve physical and mental development. Your Committee further finds that although Medicaid covers these treatments for individuals under the age of twenty-one, there have been reports that individuals with autism spectrum disorder or other neurodevelopmental disorders who are twenty-one or older were denied Med-QUEST coverage for medically-needed autism services, including applied behavioral analysis services.

This measure therefore requests the Department of Health and Department of Human Services to review research regarding applied behavioral analysis for adults and make amendments to rules, policies, and the Medicaid state plan as necessary to ensure that the State's Medicaid beneficiaries aged twenty-one and older with autism spectrum disorder or other neurodevelopmental disorders receive equitable access to all medically-needed 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 concurs with the intent and purpose of S.C.R. No. 130, 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. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2086-22 Health, Human Services, & Homelessness on S.C.R. No. 133**

The purpose of this measure to urge the State Commission on the Status of Women to establish a task force to develop and implement an outreach program aimed at informing domestic violence victims of available sources of assistance.

Your Committee received testimony in support of this measure from Hawaii State Commission of the Status of Women, Hawaii State Coalition Against Domestic Violence, Hawaii Friends of Civil Rights, Domestic Violence Action Center, HI Coalition for Immigrant Rights and two individuals.

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 S.C.R. No. 133, 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, 5. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2087-22 Health, Human Services, & Homelessness on S.C.R. No. 153**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism, in coordination with the Executive Office on Aging and County of Hawaii Office of Aging, to conduct a study on the necessity and feasibility of establishing a senior living center in the Ka'u district on the island of Hawaii.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council and the County of Hawai'i Office of Aging. Your Committee received comments on this measure from the Department of Business, Economic Development, and Tourism and Executive Office on Aging.

Your Committee finds that according to the American Community Survey 2019 five-year estimates, the Ka'u district on the island of Hawaii supports a population of 9,885 individuals, of which 2,519, or 25.5 percent, were sixty years of age or older. Your Committee further finds that County of Hawaii Office of Aging currently serves approximately two hundred forty-eight individuals, or twenty-five percent of the elderly population in Ka'u, through its home and community-based service programs. The report requested by this measure will allow policy makers to better determine the needs of elderly residents in the Ka'u district.

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 S.C.R. No. 153, 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, 2 (Gates, Har).

**SCRep. 2088-22 Health, Human Services, & Homelessness on S.C.R. No. 181**

The purpose of this measure is to request the County of Hawaii to conduct a feasibility study on the creation of a Marshallese Community Center in Hawaiian Ocean View Estates on the island of Hawaii.

Your Committee received testimony in support of this measure from one member of the Hawai'i County Council, the COFA Alliance National Network, and one individual.

Your Committee finds that the Marshallese diaspora includes over seven thousand migrants residing in Hawaii, with fourteen thousand residing in Hawaiian Ocean View Estates on the island of Hawaii. Your Committee further finds that the coronavirus disease 2019 pandemic disproportionately impacted Pacific Islanders across the State, including populations in rural areas where there is limited and inequitable access to water, electricity, and health care. The report requested by this measure will enable policy makers to better determine the feasibility of establishing a Marshallese Community Center in Hawaiian Ocean View Estates to assist the Marshallese community by providing various services, including group activities, public information and assistance, and social support.

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 S.C.R. No. 181, 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, 2 (Gates, Har).

**SCRep. 2089-22 Health, Human Services, & Homelessness on S.C.R. No. 183**

The purpose of this measure is to request the Department of Health to conduct a study to assess the health care needs of the residents of Ocean View on the island of Hawaii.

Your Committee received testimony in support of this measure from the COFA Alliance National Network. Your Committee received testimony in opposition to this measure from the Department of Health.

Your Committee finds that Ocean View on the island of Hawaii is one of the fastest-growing areas of the United States. Your Committee further finds that despite the growth of the community, the lack of health care infrastructure in the area has not been addressed. This measure requests the Department of Health to gather important information regarding the health care needs of the Ocean View community, which will enable policy makers to better understand and respond to the unique health care needs of Ocean View residents.

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 S.C.R. No. 183 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, 2 (Gates, Har).

**SCRep. 2090-22 Health, Human Services, & Homelessness on S.C.R. No. 194**

The purpose of this measure is to request the Department of Health to examine issues and barriers to enforcement to reduce noise from two-stroke engines, mopeds, and small off-road engines.

Your Committee received testimony in support of this measure from Climate Protectors Hawai'i. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that noise pollution is a serious, prevalent, and increasing problem affecting quality of life in all areas of the State. Your Committee further finds that existing regulations are not effectively enforced and do not adequately address noise pollution emitted from two-stroke engines, mopeds, and small off-road engines. This measure addresses ongoing enforcement issues by requesting the Department of Health to examine issues and barriers to enforcement of noise control regulations.

Your Committee notes that one barrier to enforcement may be a lack of knowledge by local law enforcement regarding allowable noise levels in urban areas and the appropriate use of noise measuring devices. Your Committee respectfully requests that the Department of Health consider training local law enforcement on noise measurement rules and the use of systems for community noise control as a means of mitigating excessive noise pollution in the community.

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 S.C.R. No. 194, 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, 5. Noes, none. Excused, 2 (Gates, Har).

**SCRep. 2091-22 Health, Human Services, & Homelessness on S.C.R. No. 206**

The purpose of this measure is to urge Hawaii's Congressional Delegation to strong support passage of The Women's Health Protection Act of 2021 to protect the right to access and provide abortion services.

Your Committee received testimony in support of this measure from Planned Parenthood Alliance Advocates. Your Committee received testimony in opposition to this measure from Hawaii Family Forum and four individuals.

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 S.C.R. No. 206 and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs.

Signed by the Chair on behalf of the Committee.

Ayes, 4. Noes, 1 (Ward). Excused, 2 (Gates, Har).

**SCRep. 2092-22 Health, Human Services, & Homelessness on S.C.R. No. 208**

The purpose of this measure is to urge the United States Congress and Hawaii's Congressional Delegation to support legislation establishing Medicare for all.

Your Committee received testimony in support of this measure from Health Committee of the Democratic Part of Hawaii and Progressive Democrats of Hawaii. Your Committee received testimony in opposition to this measure from two individuals.

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 S.C.R. No. 208, 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, 4. Noes, 1 (Ward). Excused, 2 (Gates, Har).

**SCRep. 2093-22 Health, Human Services, & Homelessness on S.C.R. No. 221**

The purpose of this measure is to request the Auditor to conduct a study on the relationship between the current prices of and access to medical cannabis and the volume of illicit cannabis sales in the State.

Your Committee received testimony in opposition to this measure from the Marijuana Policy Project. Your Committee received comments on this measure from the Office of the Auditor.

Your Committee finds that medical cannabis dispensaries licensed under the State's dispensary law have averaged only a thirty-one percent market share of the State's registered medical cannabis patients, with the remaining sixty-nine percent of patients either purchasing medical cannabis from the illicit market or using cannabis grown by themselves or their caregivers. Your Committee further finds that a lack of access to licensed dispensaries, as well as the price of medical cannabis purchased from a licensed dispensary, may be contributing to the high rate of illicit medical cannabis purchases. The study requested by this measure will enable policymakers to better understand the relationship between current prices of and access to medical cannabis and the volume of illicit cannabis sales in the State.

Your Committee has amended this measure by:

- (1) Requesting the Legislative Reference Bureau, rather than the Auditor, to conduct the study;
- (2) Amending its title in accordance with its amended purpose; 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 S.C.R. No. 221, 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. 221, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, Har).

#### **SCRep. 2094-22 Health, Human Services, & Homelessness on S.C.R. No. 225**

The purpose of this measure is to request the Department of Human Services to develop lesbian, gay, bisexual, transgender, queer plus specific training guidelines for state agencies that serve and assist survivors of intimate partner violence.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from Hawaii State Department of Human 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 concurs with the intent and purpose of S.C.R. No. 225, 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, 5. Noes, none. Excused, 2 (Gates, Har).

#### **SCRep. 2095-22 Education on S.C.R. No. 1**

The purpose of this measure is to urge the Department of Education to develop and implement an affirmative action program, to the extent permitted by law, 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, Hawaii State Committee of Blind Vendors, National Federation of the Blind of Hawaii, and twelve individuals. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that the National Orientation and Mobility Certification (NOMC) is a credentialing process administered by the National Blindness Professional Certification Board and includes training for teaching Structured Discovery Cane Travel, which has empowered blind children and adults across the United States for decades. Your Committee further finds that, historically, the Department of Education has not employed NOMC credentialed professionals to teach matters of orientation and mobility to blind students. Your Committee believes that an affirmative action program to recruit and employ qualified blind professionals can be effective in educating students with disabilities and serve as a powerful example for these students by letting them know that their disability need not be a barrier to employment.

Your Committee has amended this measure by:

- (1) Making technical, nonsubstantive amendments to its title; and
- (2) Making technical, 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 S.C.R. No. 1, 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. 1, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 6 (Belatti, Gates, Hashimoto, Quinlan, Yamane, Okimoto).

#### **SCRep. 2096-22 Education on S.C.R. No. 13**

The purpose of this measure is to request the Legislative Reference Bureau to conduct a study on the feasibility of the State establishing a universal, no-cost pre-kindergarten program.

Your Committee received testimony in support of this measure from two individuals. Your Committee received comments on this measure from the Executive Office on Early Learning, Early Learning Board, Legislative Reference Bureau, and Early Childhood Action Strategy.

Your Committee finds that there are pre-kindergarten education programs offered throughout the State that provide young children with high-quality early education. However, not all children have access to these programs, and the programs are cost-prohibitive for many families. Your Committee further finds that a study on the feasibility of establishing a statewide, universal, no-cost pre-kindergarten program is warranted to ensure that every child in Hawaii has equal access to early learning education.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 13, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 13, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

#### **SCRep. 2097-22 Education on S.C.R. No. 34**

The purpose of this measure is to request the Early Learning Board to conduct an evaluation of its current composition and charter, develop a five-year strategic plan to guide the Early Learning Board going forward, and report to the Legislature prior to the 2023 Regular Session.

Your Committee received testimony in support of this measure from Kamehameha Schools and Early Childhood Action Strategy. 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 Hawai'i Children's Action Network Speaks!.

Your Committee finds that the Early Learning Board originally adopted its charter in 2014, when the Board acted solely in an advisory capacity. Your Committee further finds that Act 202, Session Laws of Hawaii 2017, expanded the purview of the Early Learning Board, elevated it from an advisory to governing capacity, and altered its composition. Since 2017, multiple measures have been introduced to amend or add to the composition of the Early Learning Board, without comprehensive consideration of the Board's charter or strategic plan. Your Committee believes that an evaluation of the current Early Learning Board's composition and charter, in relation to the development of a strategic plan, is necessary to help develop any future legislation related to its composition or powers and functions.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 34, 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. 34, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

#### **SCRep. 2098-22 Education on S.C.R. No. 63**

The purpose of this measure is to request the Department of Education to name the new Kihei High School in honor of Congresswoman Patsy T. Mink.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i and three individuals.

Your Committee finds that United States Congresswoman Patsy T. Mink gained national prominence as a barrier-breaker and dedicated champion of equality. During her tenure in the United States House of Representatives, Congresswoman Patsy T. Mink worked tirelessly for the fundamental rights of and equity for women, children, immigrants, and other disenfranchised people, especially in educational settings. Her work includes introducing the first comprehensive initiatives under the Early Childhood Education Act, which included the first federal childcare bill, and working on the Elementary and Secondary Education Act of 1965, and in 1972, she co-authored the Educational Amendments of 1972, which was later renamed the Patsy T. Mink Equal Opportunity in Education Act.

Your Committee further finds that the Department of Education is in the process of building a new high school in Kihei to serve South Maui families, located a short distance from where Congresswoman Patsy T. Mink herself attended high school. Your Committee believes that naming the new Kihei High School after Congresswoman Patsy T. Mink will honor her legacy in advocating for educational equity and the overall well-being of children.

Your Committee has amended this measure by:

- (1) Including the Chairperson of the Board of Education in the list of entities receiving 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 Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 63, 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. 63, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

#### **SCRep. 2099-22 Education on S.C.R. No. 131**

The purpose of this measure is to request the Department of Education to develop a Filipino history, culture, and identity social studies course for high school students.

Your Committee received testimony in support of this measure from the Filipino Curriculum Project, Tinalak Filipino Education Council, Hawai'i Friends of Civil Rights, and sixteen individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that in 2020, news reports indicated that anti-Asian hate crimes had increased by nearly one hundred fifty percent in the United States. Your Committee further finds that increased education and understanding of Asian American history and culture and the contributions of Asian Americans can reduce incidents of hostility, violence, and discrimination toward Asian Americans. Your Committee also finds that Filipinos are the largest Asian ethnic and non-white group in Hawaii, at more than twenty-five percent of the population, and have a large presence and cultural footprint in the State. Your Committee notes that there is currently no mandated curriculum regarding Asian American history in Hawaii schools and a lack of Filipino representation in the State's education system. Your Committee believes that developing a social studies course for high school students to learn about Filipino history, culture, and identity will promote positive racial relations and attitudes amongst all ethnic groups.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 131, 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. 131, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

#### **SCRep. 2100-22 Education on S.C.R. No. 168**

The purpose of this measure is to:



- (1) Request the School Facilities Authority to adopt and publish administrative rules in accordance with chapter 91, Hawaii Revised Statutes, as necessary to implement Act 72, Session Laws of Hawaii 2020, as amended, by no later than July 1, 2023; and
- (2) Request the Governor to submit a report to the Legislature prior to the 2023 Regular Session documenting the process by which the School Facilities Authority purchases real property and executes capital improvement project contracts.

Your Committee received comments on this measure from the School Facilities Authority.

Your Committee finds that Act 72, Session Laws of Hawaii 2020 (Act 72), established the School Facilities Agency to be a body corporate and a public instrumentality of the State for the purposes of being responsible for public school capital improvement projects assigned to the Legislature, Governor, or Board of Education. Act 217, Session Laws of Hawaii 2021, subsequently renamed the School Facilities Agency as the School Facilities Authority. Your Committee notes that there are currently no administrative rules to implement Act 72, as amended, and that there is a lack of clarity regarding the process by which the School Facilities Authority purchases real property and executes capital improvement project contracts. Your Committee believes that encouraging the adoption of administrative rules to implement Act 72, as amended, will improve the School Facilities Authority's overall efficiency and effectiveness. In addition, the reporting requirement in this measure will provide greater transparency on issues surrounding real property purchases and capital improvement contracts.

Your Committee has amended this measure by:

- (1) Requesting the School Facilities Authority, rather than the Governor, to submit a report to the Legislature documenting the process by which the Authority purchases real property and executes capital improvement project contracts;
- (2) Removing the Governor from the list of entities receiving certified copies of this measure;
- (3) Amending its title in accordance with its amended purpose; 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 S.C.R. No. 168, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 168, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

#### **SCRep. 2101-22 Education on S.C.R. No. 171**

The purpose of this measure is to:

- (1) Urge the Department of Education and State Public Charter School Commission to prioritize the hiring of dedicated staff for each school campus to manage federal school meal programs; and
- (2) Request the Department of Education to seek federal funding to hire dedicated staff for each public school campus to manage federal meal programs.

Your Committee received comments on this measure from the Department of Education and State Public Charter School Commission.

Your Committee finds that access to school meals is an important part of a student's health and well-being. Your Committee further finds that certain federal programs, including the United States Department of Agriculture's National School Lunch Program, provide aid for the provision of free and reduced meals for students. Your Committee notes that federal meal assistance programs are not being fully utilized, particularly in rural areas, due in part to a lack of dedicated staff to manage the programs. Your Committee believes that prioritizing staffing to administer and operate the federal meal assistance programs is of great importance to ensure the continued well-being of Hawaii's children.

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 Education 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 that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 171, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

#### **SCRep. 2102-22 Education on S.C.R. No. 216**

The purpose of this measure is to request the Department of Education to assess whether and to what extent the Department's existing child sexual abuse curriculum and training programs align with Erin's Law.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii Youth Services Network, The Sex Abuse Treatment Center of Hawaii, and Parents And Children Together.

Your Committee finds that Erin's Law is an Illinois state law that has been adopted in many other states. Your Committee further finds that states that have adopted Erin's Law require public schools to implement a prevention-oriented child sexual abuse program that teaches age appropriate techniques for children to recognize sexual abuse and tell a trusted adult. Your Committee additionally finds that the Department of Education currently provides curricula and training programs related to preventing, recognizing, and responding to instances of child sexual abuse. Your Committee believes that an assessment of whether and to what extent the Department of Education's existing curricula and training programs align with the provisions of Erin's Law will illuminate whether further action is necessary to ensure the safety of children in Hawaii's public schools.

Your Committee has amended this measure by:

- (1) Clarifying that the requested assessment is in comparison to the provisions of Erin's Law, rather than the requirements of Erin's 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 Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 216, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as S.C.R. No. 216, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

**SCRep. 2103-22 Education on S.C.R. No. 217**

The purpose of this measure is to request the Early Learning Board to prepare a report containing a road map, including proposed legislation, for the implementation of Act 46, Session Laws of Hawaii 2020, and submit the report to the Legislature prior to the 2023 Regular Session.

Your Committee received testimony in support of this measure from the Hawai'i Community Foundation, Kamehameha Schools, and Early Childhood Action Strategy. Your Committee received testimony in support of the intent of this measure from the Executive Office on Early Learning. Your Committee received comments on this measure from the Early Learning Board and Hawai'i Children Action Network Speaks!.

Your Committee finds that providing every child with access to early learning opportunities supports positive outcomes in academics, promotes emotional well-being, and establishes a strong foundation for a lifetime of success. Your Committee further finds that approximately 34,500 children aged three to four years reside in the State. However, only fifty percent of those children have access to early learning options in Hawaii.

Your Committee additionally finds that one of the purposes of Act 46, Session Laws of Hawaii 2020 (Act 46), is to build the infrastructure and develop resources necessary to serve one hundred percent of all otherwise unserved children who are three to four years of age, or will not be at least five years of age on or before July 31 of the current school year, with access to early learning by the year 2032. Your Committee believes that assessment on the progress of implementing Act 46 and development of a road map for its continued implementation will promote greater access to early learning.

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 Education that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 217, 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. 217, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

**SCRep. 2104-22 Education on S.C.R. No. 226**

The purpose of this measure is to request the Department of Education to develop and implement a civil rights curriculum through which students in all public elementary, middle, intermediate, and high schools will be able to take courses offering fact-based information on civil rights and the Civil Rights Movement.

Your Committee received testimony in support of this measure from the Hawai'i Civil Rights Commission. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that the Civil Rights Movement was pivotal in addressing pervasive social and institutional inequities in the United States. Your Committee further finds that learning about and understanding the importance of the Civil Rights Movement are essential for students in the State. Your Committee believes that a statewide educational curriculum that includes instruction on the Civil Rights Movement will promote productive civic engagement.

Your Committee has amended this measure by:

- (1) Amending its title to more accurately reflect its purpose; 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 concurs with the intent and purpose of S.C.R. No. 226, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.C.R. No. 226, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 5 (Belatti, Gates, Quinlan, Yamane, Okimoto).

**SCRep. 2105-22 Water & Land/Corrections, Military, & Veterans on S.C.R. No. 19**

The purpose of this measure is to request that Joint Base Pearl Harbor-Hickam and the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources collaborate to establish a recreational area in the East Loch of Pearl Harbor.

Your Committees received testimony in support of this measure from Pearl City Neighborhood Board No. 21 and two individuals. Your Committees received comments on this measure from the Department of Land and Natural Resources.

Your Committees find that Pearl Harbor encompasses a vast shoreline and water surface. With the federal government having jurisdiction over the Harbor, persons associated with the United States Department of Defense and their families are permitted to engage in boating and other recreational watercraft activities. Other State residents, however, are not permitted to enter the water and thus are barred from using the Harbor for recreational purposes. Your Committees further find that in states such as California, members of the public are permitted to access the waters surrounding military bases. Therefore, public access to the East Loch of Pearl Harbor could be facilitated through collaboration between Joint Base Pearl Harbor-Hickam and the Department of Land and Natural Resources.

As affirmed by the records of votes of the members of your Committees on Water & Land and Corrections, Military, & Veterans that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 19, S.D. 1, and recommend that it be referred to your Committee on Finance.

Signed by the Chairs on behalf of the Committees.

Water & Land: Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

Corrections, Military, & Veterans: Ayes, 6. Noes, none. Excused, 2 (Kong, McDermott).

**SCRep. 2106-22 Water & Land on S.C.R. No. 64**

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, Kā'anapali, Maui, for a portion of stairs for public beach access, and for use, repair, and maintenance of the stairs constructed thereon.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources and the Napili Bay and Beach Foundation Inc.

Your Committee finds that the Napili Bay and Beach Foundation has collaborated with the Department of Land and Natural Resources to replace an aged and damaged public beach access staircase on Napili Beach. The Foundation received a State Grant in Aid in 2019 to facilitate the project and has obtained all

necessary State and County permits. However, due to a portion of the replacement stairs being located on State submerged lands, the Foundation also requires an easement authorized through prior approval of the Governor and the prior authorization of the Legislature by concurrent resolution.

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. 64, 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 (Kong, McDermott).

#### **SCRep. 2107-22 Water & Land on S.C.R. No. 119**

The purpose of this measure is to urge the Board of Land and Natural Resources to rename the Russian Fort Elisabeth State Historical Park in Waimea, Kaua'i, as "Pa'ula'ula".

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, the State Aha Moku, the Association of Hawaiian Civic Clubs, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the area currently known as Russian Fort Elisabeth State Historical Park is traditionally named "Pa'ula'ula." Your Committee also finds that the Russian-American Company played a brief and limited role in the area's history, and that the State Historical Park's current name is misleading. This measure seeks to revise the naming, signage, and interpretive documents of the State Historical Park to reflect its rich multicultural history, and to support the State Constitution's provisions promoting the study of Hawaiian culture, history, and language.

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. 119 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 (Kong, McDermott).

#### **SCRep. 2108-22 Water & Land on S.C.R. No. 159**

The purpose of this measure of this measure is to request that the Office of Planning and Sustainable Development develop a plan to include a specific role for the native Hawaiian community in the coastal zone management plan.

Your Committee received testimony in support of this measure from the Hawai'i State Aha Moku 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 Office of Planning and Sustainable Development.

Your Committee finds that past failures to integrate native Hawaiian cultural practices into marine and coastal zone planning have resulted in the loss of important cultural resources and interfered with the exercise of native Hawaiian cultural practices. Some regulations governing land and natural resources are created without specific consultation or compensation to native Hawaiian beneficiaries. Therefore, the purpose of this measure is to request the Office of Planning and Sustainable Development to develop a consultation implementation plan to ensure that native Hawaiians' voices are integrated into coastal zone management planning.

Your Committee notes the testimony of the Office of Planning and Sustainable Development that 'ike kupuna is already included in the Coastal Zone Management Program's planning practices. Therefore, the office feels that the goals of this resolution will be met without the development of a separate planning process which the Coastal Zone Management Program does not currently have the capacity to complete.

Your Committee has amended this measure by:

- (1) Requiring the Office of Planning and Sustainable Development to submit a consultation implementation plan to the legislature, rather than a report of its finding and recommendations; and
- (2) Clarifying that the Office of Planning and Sustainable Development is urged to integrate the seven policy statements in the consultation and implementation plan.

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, 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. 159, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

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

#### **SCRep. 2109-22 Water & Land on S.C.R. No. 174**

The purpose of this measure is to support the County of Hawai'i's efforts to pursue United States Army Corps of Engineers Continuing Authorities Program funding for the restoration of Kahalu'u Bay on Hawai'i Island.

Your Committee received testimony in support of this measure from the County of Hawai'i Department of Parks and Recreation, Friends of Hanauma Bay, Kahalu'u Bay Education Center, Hawai'i Reef and Ocean Coalition, Malama Pupukeya Waimea, and two members of the Hawai'i County Council.

Your Committee finds that Kahalu'u Beach Park is a popular visitor destination, hosts diverse marine life, and is a culturally important site to native Hawaiians. Thus, it would benefit the State to protect the beach and bay from deterioration and damage caused by rising sea levels. Your Committee further finds that the United States Army Corps of Engineer's Continuing Authorities Program can provide resources to facilitate the planning, design, and implementation of such projects.

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. 174 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 (Kong, McDermott).

#### **SCRep. 2110-22 Water & Land on S.C.R. No. 205**

The purpose of this measure is to request the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, in consultation with the Kaneohe Bay Regional Council, to conduct a study of commercial activity on Kaneohe Bay to quantify the amount of non-permitted commercial activity that is operating in violation of the Kaneohe Bay Master Plan.

Your Committee received testimony in support of this measure from the Hawaii State Aha Moku and four individuals. Your Committee received comments on this measure from the Department of Land and Natural Resources and Legislative Reference Bureau.

Your Committee finds that the Kaneohe Bay Master Plan was developed pursuant to Act 208, Session Laws of Hawaii 1990, to establish a framework for the sustainable management of Kaneohe Bay's natural resources while accommodating a variety of uses. The vision set forth by the Master Plan continues to center on the preservation and protection of Kaneohe Bay's natural resources for the continued enjoyment of Hawaii's people. However, limits on commercial activity have been exceeded by other activities not previously envisioned and by new technologies that support their proliferation. Your Committee firmly believes that additional research and work are necessary to uphold the original purpose of the Master Plan.

Your Committee has amended this measure by:

- (1) Requesting the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources to develop a plan to reduce the amount of non-permitted commercial activity that is operating in violation of the Kaneohe Bay Master Plan;
- (2) Requesting the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, rather than the Legislative Reference Bureau, to submit the plan and a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days before the convening of the Regular Session of 2023;
- (3) Changing its title to reflect its amended purpose; 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. 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, 6. Noes, none. Excused, 2 (Kong, McDermott).

#### **SCRep. 2111-22 Housing on S.C.R. No. 161**

The purpose of this measure is to request the Hawaii Housing Finance and Development Corporation to:

- (1) Convene a task force to review the permitting process for affordable housing for each applicable state agency and department having jurisdiction over affordable housing development; and
- (2) Conduct a study of the effect of each county's ordinances on housing finance and development on its existing and future inventory of rental and for-sale housing units and submit a report to the Legislature.

Your Committee received comments on this measure from the Hawaii Public Housing Authority, Hawaii Housing Finance and Development Corporation, and Office of Housing and Community Development of the County of Hawai'i.

Your Committee finds that the State is experiencing an unprecedented housing shortage. Your Committee also finds that while government regulations are necessary to regulate housing construction and development and protect the safety, health, and welfare of the community, county ordinances and rules can also impose significant barriers to affordable housing development. This measure requests the Hawaii Housing Finance and Development Corporation to convene a task force to obtain greater information on county-level ordinances and rules that may be hindering the development of affordable housing, which is an important step in the process of streamlining the development of affordable housing throughout the State.

Your Committee has amended this measure by:

- (1) Requesting the task force, rather than the Hawaii Housing Finance and Development Corporation to conduct the study of the effect of each county's ordinances on housing finance and development related to its inventory of rental and for-sale housing units and submit the report to the Legislature;
- (2) Dissolving the task force on June 30, 2024;
- (3) Amending its title in accordance with its amended purpose; 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 S.C.R. No. 161, 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. 161, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 2 (Aquino, McDermott).

#### **SCRep. 2112-22 Housing on S.C.R. No. 162**

The purpose of this measure is to request the Governor to order all executive agencies to review their policies and rules and make any revisions necessary to prohibit discrimination in rental transactions and advertisements for rental transactions based on source of income or participation in housing assistance programs.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Hawaii Public Housing Authority, Hawai'i Civil Rights Commission, Office of Housing and Community Development of the County of Hawai'i, Hawai'i Health & Harm Reduction Center, and one individual.

Your Committee finds that studies have shown that when there are policies that prevent discrimination against renters with housing assistance vouchers, renters are more likely to find housing. Your Committee also 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 further finds that strong source of income discrimination protections can address a key barrier to housing for many low-income and homeless individuals and families throughout the State, such as former foster youth, single mothers with minor children, veterans, individuals fleeing domestic violence, and the elderly.

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 Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 162, 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. 162, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, 2 (Aquino, McDermott).

#### **SCRep. 2113-22 Housing on S.C.R. No. 178**

The purpose of this measure is to request the Department of Land and Natural Resources, in consultation with the State Historic Preservation Division and the Island Burial Councils, to contract its review of proposed affordable housing projects to third-party consultants and submit its findings and recommendations to the Legislature.

Your Committee received comments on this measure from the Department of Land and Natural Resources; Hawaii Housing Finance and Development Corporation; and County of Hawaii Office of Housing and Community Development.

Your Committee finds that the State's housing crisis requires immediate action to expedite the development and delivery of additional housing units, particularly low-income and affordable housing units. Your Committee further finds that the Department of Land and Natural Resources is actively working on a number of improvements that will expedite its reviews of proposed affordable housing projects and the various review processes under the State's historic preservation program.

Your Committee notes that this measure requests the Department of Land and Natural Resources to enter into contracts with third-party consultants; however, in the absence of funds it will be impossible for the Department to execute any contracts with a third-party consultant. According to testimony received by the Department, neither it nor the State Historic Preservation Division has funds to enter into such contracts and related funding is not included in the Governor's budget request for the coming fiscal year.

Accordingly, your Committee has amended this measure by:

- (1) Requesting the Department of Land and Natural Resources, in consultation with the State Historic Preservation Division and the Island Burial Councils, to create an expedited process to contract its review of proposed affordable housing projects to third-party consultants, rather than requesting the Department to immediately contract with third-party consultants;
- (2) Requesting the Department of Land and Natural Resources to consider certain suggestions when creating the expedited process, rather than requesting the Department to take specific steps when executing contracts;
- (3) Amending its title in accordance with its amended purpose; 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 S.C.R. No. 178, 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. 178, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, 2 (Aquino, McDermott).

#### **SCRep. 2114-22 Housing on S.C.R. No. 232**

The purpose of this measure is to request the Office of Planning and Sustainable Development to convene a multi-agency working group to:

- (1) Make recommendations for planning, coordinating, and implementing the objectives and policies for housing in the Hawaii State Planning Act; and
- (2) Submit a report to the Legislature.

Your Committee received comments on this measure from the Hawaii Public Housing Authority, Hawaii Housing Finance and Development Corporation, and Office of Planning and Sustainable Development.

Your Committee finds that multiple state agencies are responsible for housing development in the State. Your Committee further finds that a multi-agency approach is essential to coordinate efforts and implement strategies to address the State's housing shortage.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 232, 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, 2 (Aquino, McDermott).

#### **SCRep. 2115-22 Energy & Environmental Protection on S.C.R. No. 103**

The purpose of this measure is to request the Hawaii State Energy Office to convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes and rules or other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committee received testimony in support of this measure from the Department of Transportation, Hawaii State Energy Office, Climate Protectors Hawai'i, Alliance for Automotive Innovation, Ulu pono Initiative, Hawaiian Electric Company, Tesla, Hawaii Automobile Dealers' Association, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Public Utilities Commission.

Your Committee finds that while the adoption of electric vehicles by consumers continues to grow, the limited electric vehicle infrastructure, especially in multi-unit dwellings, is a major barrier to the adoption of electric vehicles. Therefore, it is critical to examine the issues regarding the installation of electric vehicle charging infrastructure in multi-unit dwellings, which will further provide the Legislature with the necessary information to make informed policy decisions for furthering the development and adoption of electric vehicles in the State.

Your Committee has amended this measure by:

- (1) Amending the composition of the working group by:
  - (A) Clarifying that the representative of the Hawaii State Energy Office is requested to convene the working group and serve as its chairperson or designate another member of the working group to serve as chairperson if mutually agreed upon by the members;
  - (B) Removing one of the individuals who sit on the board of directors of an association of apartment owners and clarifying that the remaining individual be appointed by the Chief Energy Officer of the Hawaii State Energy Office;
  - (C) Adding a representative from the Kauai Island Utility Cooperative;

- (D) Removing one of the representatives from the electric vehicle charging system industry and clarifying that the remaining representative be appointed by the Speaker of the House of Representatives; and
- (E) Replacing the representatives from the Blue Planet Foundation and Hawaii Electric Vehicle Association with one representative from a non-profit organization that works on electrification of transportation policy appointed by the President of the Senate;
- (2) Requesting the working group to submit a report of its findings and recommendations to the Legislature;
- (3) Amending its title to make technical, nonsubstantive amendments; and
- (4) Making other technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection 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 that it be referred to your Committee on Consumer Protection & Commerce 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, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2116-22 Consumer Protection & Commerce on S.C.R. No. 26**

The purpose of this measure is to urge the United States Congress to enact legislation to address the rise in illegal text messages.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that there are concerns that text messages could be the new method for criminals to scam consumers. In August 2021, there were approximately 7,650,000 spam text messages delivered to consumers. Automated text messages are now more prevalent, and potentially more dangerous, than robocalls since malicious links can be clicked directly in a text message. This measure therefore urges that federal action be taken to address the growing problem of scam text messages.

Your Committee has amended this measure by:

- (1) Including the Federal Trade Commission as an agency the United States Congress is urged to consult in crafting legislation;
- (2) Clarifying that the recipients of certified copies of this measure from the Federal Trade Commission and Federal Communications Commission are the chairpersons of each respective 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 26, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 26, H.D. 1.

Signed by the Chair on behalf of the Committee.  
Ayes, 7. Noes, none. Excused, 4 (Aquino, Hashem, Mizuno, Tarnas).

#### **SCRep. 2117-22 Consumer Protection & Commerce on S.C.R. No. 28**

The purpose of this measure is to request that the Department of Education establish programs and educational opportunities to increase media literacy and promote digital citizenship.

Your Committee received testimony in support of this measure from the Department of Education. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that media literacy encompasses the ability to analyze, evaluate, access, and create media. Digital citizenship encompasses media literacy and matters of online safety and responsibility. Your Committee further finds that the coronavirus disease 2019 pandemic's impact on shifting education toward digital learning has increased the importance of media literacy and digital citizenship. This measure promotes the incorporation of instruction on media literacy and digital citizenship within public schools, which will help prepare public school students to live and work in a digital world.

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. 28 and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 9. Noes, none. Excused, 2 (Mizuno, Tarnas).

#### **SCRep. 2118-22 Health, Human Services, & Homelessness on S.C.R. No. 124**

The purpose of this measure is to urge the Department of Health and the Department of Human Services to work with community partners, including the YMCA of Honolulu, to support the mental wellness of the State's youth.

Your Committee received testimony in support of this measure from Stonewall Caucus of the Democratic Party of Hawaii, YMCA of Honolulu, and one individual. Your Committee received comments on this measure from Hawaii State Department of Human 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 concurs with the intent and purpose of S.C.R. No. 124, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.  
Ayes, 5. Noes, none. Excused, 2 (Gates, Har).

#### **SCRep. 2119-22 Health, Human Services, & Homelessness on S.C.R. No. 197**

The purpose of this measure is to request the Department of Health to develop protocols for hospitals in the State to improve the treatment of patients contemplating suicide.

Your Committee received comments on this measure from Sutter Health Kāhi Mōhala.

Your Committee finds that suicide is a significant public health problem in Hawaii. However, there are gaps in the health care system for individuals with a risk of suicide. Your Committee further finds that this measure will improve public health by requesting the Department of Health to develop treatment protocols for hospitals in the State for patients contemplating suicide.

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 S.C.R. No. 197, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 5. Noes, none. Excused, 2 (Gates, Har).

#### **SCRep. 2120-22 Energy & Environmental Protection on S.C.R. No. 90**

The purpose of this measure is to urge Marine Corps Base Hawaii to upgrade the capacity of its sewage treatment plant and redundancy of the components to ensure that final effluent quality is in compliance with state permitting requirements.

Your Committee received testimony in support of this measure from the Hawaii Reef and Ocean Coalition, Friends of Hanauma Bay, and one individual.

Your Committee finds that Marine Corps Base Hawaii discharges a significant amount of treated wastewater into Kailua Bay, which is used by swimmers, paddlers, divers, and surfers. Therefore, it is critical that Marine Corps Base Hawaii take the necessary steps to upgrade its sewage treatment plant to ensure that the treated wastewater it discharges complies with the proper regulations and standards.

Your Committee has amended this measure by:

- (1) Clarifying certain provisions relating to Marine Corps Base Hawaii;
- (2) Requesting that all Department of Defense installation services in Hawaii seek to migrate from R2 to R1 treatment standards, maximizing irrigation, reducing potable water consumption on military bases, and reducing discharge into Hawaii's waters; 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 concurs with the intent and purpose of S.C.R. No. 90, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 90, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2121-22 Energy & Environmental Protection on S.C.R. No. 140**

The purpose of this measure is to urge the State Sustainability Coordinator to work with state and county film offices to develop protocols to ensure that film and television productions in Hawaii are utilizing sustainable practices.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development, and Tourism; Office of Planning and Sustainable Development; Pride at Work – Hawaii; Screen Actors Guild – American Federation of Television and Radio Artists Hawaii Local; Hawai'i State AFL-CIO; Hawaii Nurses' Association – OPEIU Local 50; Musicians' Association of Hawaii, Local 677, American Federation of Musicians; KIA Enterprises, LLC; and eight individuals.

Your Committee finds that the production of films and television programs continues to have a significant economic impact on the State. However, single-use plastics are often used for food, beverages, and other essentials in accommodating large groups of performers and crew members working on film and television productions. Therefore, encouraging the film and television industry in Hawaii to shift to using alternatives rather than single-use plastics promotes sustainability and a reduction in pollution.

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. 140, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2122-22 Energy & Environmental Protection on S.C.R. No. 242**

The purpose of this measure is to request the Public Utilities Commission, in collaboration with the Department of Commerce and Consumer Affairs' Division of Consumer Advocacy, to convene a working group to create a Hawaii Low Income Home Energy Assistance Program to assist low-income households with paying for their home energy.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Hawaii State Energy Office, Hawaiian Electric Company, and Climate Protectors Hawai'i. Your Committee received comments on this measure from the Public Utilities Commission.

Your Committee finds that many households in the State are struggling to pay for energy costs, as Hawaii's electricity rates are one of the highest in the nation. Therefore, establishing a state Low Income Home Energy Assistance Program would assist struggling households with their energy costs and ensure continued access to electrical power for all residents.

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. 242, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 6. Noes, none. Excused, 2 (Todd, Tokioka).

#### **SCRep. 2123-22 Finance on S.C.R. No. 1**

The purpose of this measure is to urge the Department of Education to develop and implement an affirmative action program, to the extent permitted by law, 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 S.C.R. No. 1, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2124-22 Finance on S.C.R. No. 19**

The purpose of this measure is to request that Joint Base Pearl Harbor-Hickam and the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources collaborate to establish a recreational area in the East Loch of Pearl Harbor.

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. 19, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2125-22 Finance on S.C.R. No. 21**

The purpose of this measure is to request the Department of Business, Economic Development, and Tourism to conduct a study on the economic impacts of domestic out-of-state 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 S.C.R. No. 21, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2126-22 Finance on S.C.R. No. 27**

The purpose of this measure is to request the Office of Enterprise Technology Services to conduct a feasibility study on the development of a statewide interagency system for filing and maintaining documents required of individuals and organizations accessing government services online.

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. 27, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2127-22 Finance on S.C.R. No. 61**

The purpose of this measure is to request the Auditor to assess the social and financial effects of mandatory health insurance coverage for hearing aids.

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. 61, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2128-22 Finance on S.C.R. No. 64**

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, Kā'anapali, Maui, for a portion of stairs for public beach access, and for use, repair, and maintenance of the stairs 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 S.C.R. No. 64, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2129-22 Finance on S.C.R. No. 82**

The purpose of this measure is to request the Auditor to conduct a performance audit of the Department of Health, Hawaii State Hospital and Hawaii Information Portal.

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. 82 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2130-22 Finance on S.C.R. No. 83**

The purpose of this measure is to request the Hawaii Council for the Humanities, State Foundation on Culture and the Arts, and Hawaii State Public Library System to collaborate for the establishment of a Hawaii State Poet Laureate 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 S.C.R. No. 83 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2131-22 Finance on S.C.R. No. 102**

The purpose of this measure is to request the Office of the Auditor to conduct a performance audit of the policies, procedures and processes of the Child Welfare Services Branch to protect the safety and well-being of children.

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. 102, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).



**SCRep. 2132-22 Finance on S.C.R. No. 118**

The purpose of this measure is to request the Creative Resurgence Task Force to continue to examine and determine measures and establish policies and programs to build and foster creativity and innovation through the arts, culture, and humanities in 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 S.C.R. No. 118, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2133-22 Finance on S.C.R. No. 122**

The purpose of this measure is to request the Auditor to conduct a sunrise analysis of the regulation and licensure of school psychologists.

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. 122, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2134-22 Finance on S.C.R. No. 146**

The purpose of this measure is to request the Director of Transportation to convene a task force on best practices and successful efforts to green transportation infrastructure and public infrastructure in jurisdictions outside of Hawaii.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 146, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2135-22 Finance on S.C.R. No. 176**

The purpose of this measure is to support the ongoing efforts by the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources to execute its priorities for Honokohau Small Boat Harbor as outlined in its improvement masterplan.

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. 176 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2136-22 Finance on S.C.R. No. 178**

The purpose of this measure is to request the Department of Land and Natural Resources, in consultation with the State Historic Preservation Division and the Island Burial Councils, to create an expedited process to contract its review of proposed affordable housing projects to third-party consultants, rather than requesting the Department to immediately contract with third-party consultants.

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. 178, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2137-22 Finance on S.C.R. No. 193**

The purpose of this measure is to request the Department of Transportation Airports Division to develop a preliminary draft thermal screening and tracing camera repurpose plan for its five major airports.

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. 193 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2138-22 Finance on S.C.R. No. 205**

The purpose of this measure is to request the Division of Boating and Ocean Recreation of the Department of Land and Natural Resources, in consultation with the Kaneohe Bay Regional Council, to conduct a study of commercial activity on Kaneohe Bay and develop a plan to reduce the amount of non-permitted commercial activity that is operating in violation of the Kaneohe Bay Master Plan, investigate challenges to enforcement against illegal commercial activity at Kaneohe Bay and offer recommendations to improve compliance with the Kaneohe Bay 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 S.C.R. No. 205, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2139-22 Finance on S.C.R. No. 217**

The purpose of this measure is to request the Early Learning Board to prepare a report containing a road map, including proposed legislation, for the implementation of Act 46, Session Laws of Hawaii 2020, and submit the report to the Legislature prior to the 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 217, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2140-22 Finance on S.C.R. No. 34**

The purpose of this measure is to request the Early Learning Board to conduct an evaluation of its current composition and charter, develop a five-year strategic plan to guide the Early Learning Board going forward, and report to the Legislature prior to the 2023 Regular Session.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 34, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2141-22 Finance on S.C.R. No. 35**

The purpose of this measure is to request the University of Hawaii - West Oahu to re-establish its partnership with the University of Hawaii at Hilo to provide a nursing program similar to the Ike Maui Ola program and a pathway for students attending the University of Hawaii – West Oahu who are interested in pursuing a nursing career.

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. 35, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 11. Noes, none. Excused, 4 (Branco, Nishimoto, Wildberger, McDermott).

**SCRep. 2142-22 Judiciary & Hawaiian Affairs on S.C.R. No. 201**

The purpose of this measure is to urge the United States Army Corps of Engineers to work with the Department of Land and Natural Resources to mitigate negative impacts to corals and other important coral reef resources while dredging in State waters.

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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 201 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2143-22 Judiciary & Hawaiian Affairs on S.C.R. No. 161**

The purpose of this measure is to request the Hawaii Housing Finance and Development Corporation to convene a task force to review the permitting process related to affordable housing and conduct a study of the effect of county ordinances on housing finance and development.

Your Committee received testimony in support from the County of Hawaii Office of Housing and Community Development. Your Committee received testimony with comments from the Hawaii Housing Finance and Development Corporation.

Your Committee finds that the State is experiencing an unprecedented housing shortage. Your Committee also finds that while government regulations are necessary to regulate housing construction and development and protect the safety, health, and welfare of the community, county ordinances and rules can also impose significant barriers to affordable housing development. This measure is an important step in the process of streamlining the development of affordable housing throughout 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 concurs with the intent and purpose of S.C.R. No. 161, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2144-22 Judiciary & Hawaiian Affairs on S.C.R. No. 133**

The purpose of this measure is to urge the State Commission on the Status of Women to establish a task force to develop and implement an outreach program aimed at informing domestic violence victims of available sources of assistance.

Your Committee received testimony in support of this measure from the State Commission on the Status of Women, Domestic Violence Action Center, Hawai'i Friends of Civil Rights, Hawai'i State Coalition Against Domestic Violence, and four individuals.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.C.R. 122, H.D. 1, a substantially similar measure that urges the State Commission on the Status of Women to work with the Domestic Violence Action Center, the Filipino Chamber of Commerce of Hawaii, and other Chambers of Commerce in Hawai'i to develop and implement a domestic violence victim outreach program.

As 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. 133, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 133, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2145-22 Judiciary & Hawaiian Affairs on S.C.R. No. 63**

The purpose of this measure is to request the Department of Education to name the new Kihei High School in honor of United States Congresswoman Patsy T. Mink.

Your Committee received testimony in support of this measure from the Stonewall Caucus of the Democratic Party of Hawai'i, Democratic Party of Hawai'i Women's Caucus, Americans for Democratic Action, and one individual. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Department of Education is in the process of building a new high school in Kihei to serve South Maui families, located a short distance from where Congresswoman Patsy T. Mink herself attended high school. Your Committee believes that given her extraordinary dedication to advocating for educational equity and the overall well-being of children, there would be no better way to honor the legacy of Congresswoman Patsy T. Mink.

As 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. 63, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2146-22 Judiciary & Hawaiian Affairs on S.C.R. No. 216**

The purpose of this measure is to request the Department of Education to assess and report to the Legislature whether and to what extent existing curriculum and training align with Erin's Law.

Your Committee received testimony in support of this measure from the Democratic Party of Hawaii Women's Caucus, Hawaii Youth Services Network, Parents and Children Together, and Hawaii Pacific Health Sex Abuse Treatment 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 concurs with the intent and purpose of S.C.R. No. 216, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2147-22 Judiciary & Hawaiian Affairs on S.C.R. No. 76**

The purpose of this measure is to request the Board of Agriculture to prohibit unapproved residential use of farm dwellings in agricultural parks.

Your Committee received testimony with comments from the Department of Agriculture.

Your Committee notes that 84 of the 217 agricultural park parcels currently have farm dwellings.

As 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. 76 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2148-22 Judiciary & Hawaiian Affairs on S.C.R. No. 108**

The purpose of this measure is to affirm Hawaii's ongoing commitment to the goals of the Paris Climate Agreement and United Nations Sustainable Development Goals and Endorsement of the Fossil Fuel Non-Proliferation Treaty.

Your Committee received testimony in support of this measure from the Hawaii State Energy Office, County Council of Maui, Hawaii Institute for Human Rights, Stand.earth – Fossil Fuel Non-Proliferation Treaty and SAFE Cities, and three individuals. Your Committee received testimony in opposition of this measure from one individual.

Your Committee finds that the reliance on fossil fuels has resulted in the global climate crisis we find ourselves in today. Additionally, the construction of new fossil fuel infrastructure and expanded reliance do not reflect the coal, oil, and gas omissions in respect to the supply and production. The overall reliance on fossil fuels expose communities to untenable risks to public health and safety at the local and global levels. Therefore, it is essential to commit to ambitious investments of lessening our reliance for the longevity of our world.

As 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. 108, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2149-22 Judiciary & Hawaiian Affairs on S.C.R. No. 25**

The purpose of this measure is to recognize October 3 through October 7, 2022, as Digital Inclusion Week in the State of Hawai'i.

Your Committee received testimony in support of this measure from the Department of Business, Economic Development & Tourism, and Hawaii Broadband Hui. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that digital equity ensures that all individuals and communities have the information technology capacity needed to take part fully in society, the economy, and democratic government, which is necessary for civic and cultural participation, distance learning and remote working, and access to essential services like telemedicine. This measure will help to raise awareness of the need for digital equity and to promote digital inclusion 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 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, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2150-22 Judiciary & Hawaiian Affairs on S.C.R. No. 138**

The purpose of this measure is to urge the City and County of Honolulu to celebrate the fiftieth anniversary of the Lanikai bikeway and recognize the efforts of Ted Rodgers and Cynthia Thielen who led the efforts to establish it.

Your Committee received testimony in support from one individual.

Your Committee finds that the Lanikai Bikeway was created in response to the unsafe road conditions for bikers in the area. Because this community effort was organized and led by Ted Rodgers and Cynthia Thielen, an official recognition of their leadership and advocacy will serve as a permanent reminder of their tangible contributions to protecting 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 S.C.R. No. 138, S.D. 1, H.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2151-22 Judiciary & Hawaiian Affairs on S.C.R. No. 24**

The purpose of this measure to recognize April 17 through April 23, 2022, as volunteer week Hawaii throughout the state.

Your committee received testimony in support of this measure from Kanu Hawaii and three individuals.

Your Committee finds that National Volunteer Week, first designated by President Nixon in 1974, empowers volunteers and serves as a reminder that individuals and communities are at the center of social change. Your Committee further finds that ongoing recognition of Volunteer Week in Hawaii will serve as a call to action for volunteerism and community engagement. This measure mirrors national recognition of volunteers by recognizing April 17 through April 23, 2022, as Volunteer Week in the State 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 concurs with the intent and purpose of S.C.R. No. 24, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2152-22 Judiciary & Hawaiian Affairs on S.C.R. No. 185**

The purpose of this measure is to denounce Russia's actions causing a humanitarian crisis in Ukraine and urging the United States Congress to take concrete action to support Ukrainian refugees and to increase the refugee limits for the United States and increase funding related to those efforts.

Your Committee received testimony in support of this measure from the State of Hawaii Office of Community Services. Your Committee received testimony in opposition of this measure from one individual.

Your Committee finds that the Russian invasion of Ukraine has created a devastating humanitarian crisis, with millions of Ukrainians, many of them women, children, and the elderly, fleeing the country. Your Committee further finds that countries like Poland, Romania, and Moldova are taking a disproportionate number of Ukrainian refugees compared to the rest of the world. According to the UN Refugee Agency, as of March 31, 2022, Poland had received 2,384,814 refugees, Romania had received 623,627 refugees, and Moldova had received 390,1987 refugees. Although the United States has taken some steps toward helping Ukrainian refugees, your Committee finds that additional, concrete steps should be taken to provide further support to address this ongoing crisis.

As 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 its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2153-22 Judiciary & Hawaiian Affairs on S.C.R. No. 203**

The purpose of this measure is to urge the Department of Land and Natural Resources to develop programs to recapture, retain, and share the cultural and environmental knowledge of limu kala.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Kua'aina Ulu 'Auamo, Limu Hui, Hawaii Reef and Ocean Coalition, and Malama Pūpūkea-Waimea.

As 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. 203 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2154-22 Judiciary & Hawaiian Affairs on S.C.R. No. 121**

The purpose of this measure is to urge the counties and the State of Hawai'i to work with Huamakahikina and Kumu Hula to establish policies protecting hula.

Your Committee received testimony in support from the Halau Hula 'O Kawaiho'omalu; Kaulana Na Pua, Inc.; God's Country Waimanalo; Na Nupuna a me Na Kako'o O Halawa Inc.; Kumu Hula Association of Northern California; Moku O Manokalanipo Kauai Council of the Association of Hawaiian Civic Clubs; Association of Hawaiian Civic Clubs; Council for Native Hawaiian Advancement; and numerous individuals. Your Committee received testimony in opposition from the Department of Land and Natural Resources Hawaii State Aha Moku.

Your Committee finds that Huamakahikina was first convened in 2020 to promote the voices of Kumu Hula, or those recognized to represent hula lineages and advocate for the proper preservation of hula. Your Committee further finds that growing interest in Hawaiian culture has unfortunately also led to misrepresentation and dissemination of incorrect choreography, designs, proper names, and lexicons of hula by persons who teach hula without being acknowledged as Kumu Hula. This measure protects hula by urging the State and counties to develop policies and increase resources to perpetuate hula for future generations.

As 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. 121 and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2155-22 Judiciary & Hawaiian Affairs on S.C.R. No. 46**

The purpose of this measure is to request the Department of Hawaiian Home Lands to conduct a feasibility study on the creation of an enforcement division for the Department of Hawaiian Home Lands.

Your Committee received testimony in support of this measure from the Department of Hawaiian Home Lands.

As 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. 46, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2156-22 Judiciary & Hawaiian Affairs on S.C.R. No. 192**

The purpose of this measure is to request the Office of Information Practices to convene a working group to develop recommendations for the treatment of deliberative and pre-decisional agency records.

Your Committee received testimony in support from the State of Hawaii Office of Information Practices, Department of Land and Natural Resources, Department of Transportation, Department of Commerce and Consumer Affairs, and Common Cause Hawaii. Your Committee received testimony in opposition of this measure from the Aina Hina Community Association. Your Committee received comments from the League of Women Voters (LWV), Civil Beat Law Center for the Public Interest, Hawaii Chapter Society of Professional Journalists, and the Grassroot Institute 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 concurs with the intent and purpose of S.C.R. No. 192, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 8. Noes, none. Excused, 3 (D. Kobayashi, McKelvey, Ward).

**SCRep. 2157-22 Consumer Protection & Commerce on S.C.R. No. 2**

The purpose of this measure is to request that the Auditor conduct a sunrise review of the certification and regulation of community health workers.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs; Department of Health; Hawai'i Public Health Institute; Kula no na Po'e Hawaii o Papakōlea, Kewalo, Kalāwahine; Hawai'i Community Health Worker Association; and two individuals.

Your Committee finds that community health workers serve in unique and important roles, such as community health advisors, health advocates, outreach educators, community health representatives, and peer health educators. Your Committee further finds that community health workers are not presently required to be regulated by the State. This measure therefore requests the Auditor to conduct a sunrise review of the certification and regulation of community health workers, as proposed by Senate Bill No. 2882, Regular Session of 2022.

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. 2, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Har, Mizuno, Morikawa, Onishi).

**SCRep. 2158-22 Consumer Protection & Commerce on S.C.R. No. 241**

The purpose of this measure is to request that the Auditor assess the social and financial effects of mandatory health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer and whose cancer or cancer treatment may adversely affect their fertility.

Your Committee received testimony in support of this measure from the Hawaii Society of Clinical Oncology, Association for Clinical Oncology, and Alliance for Fertility Preservation.

Your Committee finds that for individuals with cancer, the struggles of infertility are heavily exacerbated, as they are forced to sacrifice their ability to conceive and start a family in order to survive their condition. However, due to advances in reproductive technology, cancer need not preclude parenthood. Offering techniques to preserve fertility is now recognized by all relevant medical societies as a standard part of cancer care, but access remains a challenge.

Your Committee further finds that mandated health insurance coverage for fertility preservation procedures is not generally covered by health insurance and would be considered a new mandated benefit. This measure therefore requests the Auditor to conduct an impact assessment report on the social and financial effects of the mandated health insurance coverage for fertility preservation procedures for certain persons who have been diagnosed with cancer proposed by House Bill No. 2242 and Senate Bill No. 3308, Regular Session of 2022.

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, 7. Noes, none. Excused, 4 (Har, Mizuno, Morikawa, Onishi).

**SCRep. 2159-22 Consumer Protection & Commerce on S.C.R. No. 33**

The purpose of this measure is to request that the Blood Bank of Hawaii immediately adopt the United States Food and Drug Administration's updated guidance that shortens or eliminates the deferral period for certain blood donors.

Your Committee received testimony in support of this measure from two individuals. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that due to fears associated with the coronavirus disease 2019 pandemic, blood bank donations decreased substantially in 2021, resulting in an historic blood inventory shortage in the State and nationally. To address the shortage of blood donations, the United States Food and Drug Administration (FDA) revised its blood donor eligibility guidance for several categories of blood donors by shortening or eliminating the deferral periods. Your Committee further finds that the Blood Bank of Hawaii has yet to adopt any of the FDA's revised guidance. This measure addresses the urgent need for an increased supply of blood by requesting that the Blood Bank of Hawaii immediately adopt the FDA's revised guidance that shortens or eliminates the deferral period for certain blood donors.

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. 33, S.D. 1, and recommends its adoption.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Har, Mizuno, Morikawa, Onishi).

**SCRep. 2160-22 Consumer Protection & Commerce on S.C.R. No. 41**

The purpose of this measure is to request that the Hawaii Broadband and Digital Equity Office conduct a data mapping study to identify geographically underserved and unserved areas in the State that lack quality broadband connectivity.

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 magnified the need for broadband access for all residents in the State. Your Committee further finds that in recognition of this, the federal government has funded broadband equity and digital equity programs across the country. However, to achieve the goals set forth in these federal programs, high resolution location data is needed to determine unserved and underserved areas throughout Hawaii. This measure will assist the State in identifying geographically underserved and unserved areas that lack quality broadband connectivity.

Your Committee has amended this measure by:

- (1) Deleting language requesting that the Department of Business, Economic Development, and Tourism allocate \$150,000 to contract for data mapping services; and
- (2) Making technical, 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. 41, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 41, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Har, Mizuno, Morikawa, Onishi).

#### **SCRep. 2161-22 Consumer Protection & Commerce on S.C.R. No. 120**

The purpose of this measure is to urge the Public Utilities Commission to consider and adopt an efficient, streamlined process to review requests made by electric utilities to provide middle mile broadband services in furtherance of the State's efforts to expedite broadband access and equity, facilitate digital equity, and promote expeditious broadband deployment to unserved and underserved areas.

Your Committee received testimony in support of this measure from the University of Hawai'i System; Hawaiian Electric Company; Ocean Networks, Inc.; and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Public Utilities Commission, and Hawaiian Telcom.

Your Committee finds that the coronavirus disease 2019 pandemic has magnified the need for broadband access for all residents in the State. Broadband access has become a necessity for efficient access to basic amenities including health care, education, public safety, commerce, and government services. Access to broadband is also necessary for work and in daily interactions with others. Your Committee further finds that existing regulated public utilities are able to provide foundational, diverse middle mile broadband services to internet service providers and other third parties without duplicating efforts or congesting rights-of-way or view planes, which will increase the deployment of broadband in unserved and underserved communities.

Your Committee notes and agrees with the comment submitted by the Department of Commerce and Consumer Affairs in its written testimony to your Committee that it may be necessary for the Public Utilities Commission to revisit its rules, known as the Affiliate Transaction Requirements, to ensure that cross-subsidization does not occur for broadband activities.

Your Committee has amended this measure by:

- (1) Making a technical, nonsubstantive amendment to the title to more accurately reflect the measure's purpose; 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 120, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 120, S.D. 1, H.D. 1.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Har, Mizuno, Morikawa, Onishi).

#### **SCRep. 2162-22 Consumer Protection & Commerce on S.C.R. No. 103**

The purpose of this measure is to request that the Hawaii State Energy Office convene a working group to examine issues and barriers to the installation of electric vehicle charging systems in multi-unit dwellings and make recommendations regarding changes to statutes and rules or other guidance to help clarify and facilitate the installation of electric vehicle charging systems in multi-unit dwellings.

Your Committee received testimony in support of this measure from the Hawai'i State Energy Office, Hawaii Council of Community Associations, Ulupono Initiative, Hawaii Electric Vehicle Association, 350Hawaii.org, Tesla, Hawaiian Electric Company, Alliance for Automotive Innovation, Climate Protectors Hawaii, Envoy Hawaii, Hawaii Automobile Dealers' Association, and eight 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, Public Utilities Commission, and NAIOP Hawaii.

Your Committee finds that the transportation sector represents the largest contributor to carbon emissions in the State. Your Committee further finds that while the adoption of electric vehicles by consumers continues to grow, the limited electric vehicle infrastructure, especially in multi-unit dwellings, is a major barrier to the adoption of electric vehicles. A coordinated effort is needed amongst a wide range of stakeholders to continue meaningful progress on clean transportation. This measure establishes a working group, which will provide the Legislature with the necessary information to make an informed policy decision for furthering the development of electric vehicle infrastructure in multi-unit dwellings.

Your Committee has amended this measure by:

- (1) Adding a representative from NAIOP Hawaii Chapter as a member of the working group;
- (2) Adding the President of NAIOP Hawaii Chapter as a recipient of a certified copy 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 Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 103, S.D. 1, H.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. 2.

Signed by the Chair on behalf of the Committee.

Ayes, 7. Noes, none. Excused, 4 (Har, Mizuno, Morikawa, Onishi).

**Conf. Com. Rep. 1-22 on S.B. No. 2752**

The purpose of this measure is to:

- (1) Establish an income tax credit for taxpayers who are required to seal abandoned wells;
- (2) Clarify the definition of the term "abandoned well";
- (3) Require abandoned well owners to seal the well at their expense; and
- (4) Appropriate funds for positions under the Commission on Water Resource Management.

Your Committee on Conference finds that wells in a state of disuse or disrepair can become conduits for contaminants to be introduced into ground water. Your Committee on Conference further finds that abandoned wells can also become receptacles for the disposal of waste, potentially resulting in additional contamination and associated risk to public health and the environment.

Your Committee on Conference has amended this measure by:

- (1) Deleting the creation of a new section in statute that establishes the abandoned well income tax credit;
- (2) Deleting the appropriation for positions within the Commission on Water Resource Management;
- (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. 2752, 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. 2752, S.D. 2, H.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, Kanuha, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 2-22 on S.B. No. 2163**

The purpose of this measure is to elevate the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

Your Committee on Conference finds that existing penalties need to be addressed to deter drivers from repeatedly operating their vehicles under the influence of drugs and alcohol or at increased blood or breath alcohol levels. This measure will prevent traffic fatalities and save lives by elevating the penalty of negligent homicide in the first degree from a class B felony to a class A felony when certain conditions are met.

Your Committee on Conference has amended this measure by increasing the lookback period for convictions for operating a vehicle under the influence from ten years within the instant offense to fifteen years within the instant offense.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2163, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2163, H.D. 1, 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 Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 3-22 on S.B. No. 204**

The purpose and intent of this measure is to authorize the Department of Land and Natural Resources to use in-lieu fee mitigation to restore, create, enhance, preserve, or any combination thereof, aquatic habitats or resources as compensatory mitigation.

Your Committee on Conference finds that natural resource agencies prefer compensatory mitigation mechanisms such as in-lieu fee mitigation as in-lieu fee sponsors are often entities with more experience, scientific expertise, and a long-term interest in natural resource conservation. Providing the Department of Land and Natural Resources with an additional mechanism to improve stewardship of aquatic public trust habitats and resources, increased accountability for aquatic resource damage, and a higher quality of restitution for the damaged resource will improve aquatic resource management.

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. 204, 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. 204, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Nakashima, Branco, LoPresti, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 4-22 on S.B. No. 3077**

The purpose of this measure is to:

- (1) Add and update definitions to satisfy current industry practice needs;
- (2) Align and remedy inconsistencies between statutory chapters on barbering and beauty culture;
- (3) Remove the five-year license requirement for barber and beauty operator board of barbering and cosmetology member seats; and
- (4) Raise fees for penalties and disciplinary actions and remove medical clearance requirements.

Your Committee on Conference finds that existing law contains various inconsistencies between the two separate statutory chapters that regulate barbering and cosmetology, which have created a number of undue complexities. This measure repeals chapters 438 and 439, Hawaii Revised Statutes, and creates a new chapter to align the regulatory structure for barbering and cosmetology, correct inconsistencies, and update certain provisions to address evolving industry concerns and needs.

Your Committee on Conference has amended this measure by:

- (1) Amending the definition of "beauty instructor";
- (2) Inserting an effective date of July 1, 2022; 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. 3077, 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. 3077, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 5-22 on S.B. No. 2685**

The purpose of this measure is to:

- (1) Establish requirements for cumulative voting and the removal of directors of planned community associations;
- (2) Exempt planned community associations from certain requirements regarding cumulative voting for and the removal of directors under the Hawaii Nonprofit Corporations Act; and
- (3) Require boards of directors of planned community associations, when planning to distribute proxies without the use of association funds, to post notices of their intent to distribute written notices for association meetings at least twenty-one days before distributing the written notices.

Your Committee on Conference finds that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act can be easily manipulated by planned community association boards of directors to prevent minority groups from attaining representation by simply omitting cumulative voting from the notice. This measure clarifies that the cumulative voting provisions under the Hawaii Nonprofit Corporations Act do not apply to planned community associations governed by the State's planned community association laws and establishes provisions specific to planned community associations.

Your Committee on Conference has amended this measure by making it effective January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2685, 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. 2685, 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 Baker, Gabbard, Chang, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 6-22 on S.B. No. 2808**

The purpose of this measure is to appropriate funds to the Hawaii Technology Development Corporation for the State Small Business Credit Initiative Program.

Your Committee on Conference finds that the State Small Business Credit Initiative Program is a program that will provide federal funds in three tranches over the next seven years for states to expand and develop certain programs to provide access to capital for small businesses. Your Committee on Conference further finds that this measure is essential for small businesses to not only recover from the economic effects of the coronavirus disease 2019 pandemic, but to grow and expand within the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$500,000; and



(2) Making it effective 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. 2808, 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. 2808, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, B. Kobayashi, and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (B. Kobayashi).

Senators Wakai, Kanuha, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 7-22 on H.B. No. 2111**

The purpose of this measure is to update and improve existing provisions in the Insurance Code and promote consumer protection by:

- (1) Adopting the revised National Association of Insurance Commissioners Suitability in Annuity Transactions Model Regulation to:
  - (A) Require producers to act in the best interest of the consumer when making a recommendation of an annuity; and
  - (B) Require insurers to establish and maintain a system to supervise recommendations;
- (2) Amending the Insurance Commissioner's authority to issue limited licenses to persons selling travel insurance to be inclusive of other general travel insurance products;
- (3) Removing references to outdated and obsolete limited lines product offerings; and
- (4) Amending the regulation of third party administrators by:
  - (A) Excluding dental insurers and dental service corporations; and
  - (B) Requiring third party administrators to include renewal certificates for surety bonds and audited financial statements in their annual reports.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date for the provisions adopting the revised National Association of Insurance Commissioners Suitability in Annuity Transactions Model Regulation 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 managers 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. 2111, 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. 2111, 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, Riviere, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 8-22 on H.B. No. 2272**

The purpose of this measure is to:

- (1) Specify that a condominium declaration may be amended at any time by the vote or written consent of unit owners representing at least sixty-seven percent of the common interest;
- (2) Require the developer's public report to include annual reserve contributions based on a reserve study as part of the breakdown of the annual maintenance fees;
- (3) Clarify time and date requirements for petitions to amend bylaws and calls for special meetings; time frame for approval of minutes; and board meeting participation;
- (4) Clarify the conditions for use of electronic voting devices;
- (5) Specify that the use of electronic meetings and electronic, machine, or mail voting are to be at the sole discretion of the board of directors and expand the circumstances under which such use is authorized;
- (6) Specify that a board of directors may make rules for owner participation at board meetings available on the association's website;
- (7) Require that the reserve study be performed by an independent, certified reserve study preparer who shall not be affiliated with the managing agent of the association and require that the reserve study be prepared or updated at least every three years; and
- (8) Specify that an association's cash flow plan be based on thirty-year projections.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the declaration may be amended by at least sixty-seven percent of unit owners, unless the declaration is amended by the unit owners to require a higher percentage;
- (2) Specifying that the reserve study must be reviewed by an independent reserve study preparer and reviewed or updated at least every three years; 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. 2272, 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. 2272, 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, Riviere, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 9-22 on H.B. No. 137**

The purpose of this measure is to:

- (1) Remove the authority of county liquor commissions to investigate violations of the liquor tax law and require that such violations be referred to the Director of Taxation for investigation;
- (2) Require applications for liquor licenses to be notarized, rather than verified by oath; and
- (3) 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 on Conference has amended this measure by:

- (1) Changing the effective date 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 managers 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. 137, 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. 137, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Todd, B. Kobayashi, Morikawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 10-22 on H.B. No. 2307**

The purpose of this measure is to ensure the continued viability of the State's sea salt manufacturing industry by appropriating funds to provide education and support to businesses in the State regarding the United States Food and Drug Administration's industry guidance on colored sea salt.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000 to provide education and support to businesses in the State regarding federal industry guidance on colored sea salt; and
- (2) Changing its 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 H.B. No. 2307, 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. 2307, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, Matayoshi, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Kanuha, Wakai, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 11-22 on H.B. No. 1768**

The purpose of this measure is to:

- (1) Exempt the instream use of water for traditional and customary kalo cultivation practices from the existing process for disposition of water rights;
- (2) Clarify that the powers and duties of the Commission on Water Resource Management to determine appurtenant water rights include the specification of the water course or the means of access and delivery entitled to by that right;
- (3) Clarify that nothing in chapter 174C, part IV, Hawaii Revised Statutes, relating to the regulation of water use, shall be construed to deny the exercise of an appurtenant right, including access by the holder to conduct activities necessary to assure the use, delivery, and quality of water, that shall not be unreasonably withheld; and
- (4) Clarify that the appurtenant water rights of kuleana and taro lands include access by the holder to conduct activities necessary to assure the use, delivery, and quality of water, that shall not be unreasonably withheld.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1768, 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. 1768, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Tamas, Nakashima, Branco, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Inouye, Gabbard, Acasio, and Fevella.

Managers on the part of the Senate.

Ayes, 3; Ayes with Reservations (Acasio, Fevella). Noes, none. Excused, 1 (Gabbard).

**Conf. Com. Rep. 12-22 on H.B. No. 2280**

The purpose of this measure is to prohibit planned community associations from prohibiting or unreasonably restricting the use of a unit owner's enclosed yard area for personal agriculture; provided the use is not in violation of the planned community association's existing master landscape plan or other restrictive covenants applicable to the unit.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2280, 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. 2280, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Johanson, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Baker, Nishihara, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 13-22 on H.B. No. 2169**

The purpose of this measure is to:

- (1) Clarify that the Department of Public Safety's role is to work with the Department of Transportation and county examiners of drivers to assist inmates in obtaining civil identification cards necessary to transition into the workforce, access social services, and secure housing, rather than issue civil identification cards; and
- (2) Require that any form the Department of Public Safety provides in connection with this assistance be in the inmate's primary language.

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 H.B. No. 2169, 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. 2169, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Matayoshi, Ganaden, B. Kobayashi, and McDermott.

Managers on the part of the House.

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

Senators Nishihara, Lee, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 14-22 on H.B. No. 2312**

The purpose of this measure is to:

- (1) Establish the Women's Corrections Implementation Commission within the Judiciary to ensure implementation of the recommendations from the Final Report of the House Concurrent Resolution No. 85 (2016) Task Force on Prison Reform, to develop and implement an evidence-based, gender-responsive plan to divert non-violent women offenders, especially those with minor children, from the criminal justice system;
- (2) Require the Women's Corrections Implementation Commission to review existing local resources and programs focused on women in the justice system for their effectiveness and capacity for expansion; and
- (3) Require the Women's Corrections Implementation Commission to consider model programs including residential, in-person and community-based rehabilitation programs, supportive and subsidized housing, restorative justice, and educational programs.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$10,000; and
- (2) 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 H.B. No. 2312, 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. 2312, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Ichiyama, B. Kobayashi, Ganaden, Morikawa, and McDermott.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, 1 (McDermott).

Senators Nishihara, Rhoads, Shimabukuro, Riviere, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 2 (Rhoads, Fevella).

**Conf. Com. Rep. 15-22 on H.B. No. 1787**

The purpose of this measure is to:

- (1) Establish "employment first" as a policy of the State and counties;
- (2) Define "employment first" as the competitive employment and full inclusion of persons with a disability in an integrated setting as a first and preferred option for employment services;
- (3) Require state and county agencies to implement this policy in hiring practices and all programs and services administered or funded by the State or counties; and
- (4) Require the Department of Human Services to apply employment first principles to Medicaid home and community-based services programs.

Your Committee on Conference has amended this measure by changing the effective date to July 1, 2022; provided that the requirement that the Department of Human Services apply employment first principles to Medicaid home and community-based services programs shall not take effect until June 30, 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. 1787, 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. 1787, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Nakashima, Sayama, Belatti, LoPresti, and Okimoto.  
Managers on the part of the House.  
Ayes, 6. Noes, none. Excused, none.

Senators Ihara, Taniguchi, Acasio, Keith-Agaran, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 16-22 on H.B. No. 1436**

The purpose of this measure is to allow the counties to transfer development rights within a comprehensive planning program to protect from development lands at risk from sea level rise, coastal erosion, storm surge, or flooding associated with climate change.

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. 1436, 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. 1436, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Kitagawa, Branco, B. Kobayashi, Kong, and McDermott.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 2 (Kitagawa, McDermott).

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

**Conf. Com. Rep. 17-22 on H.B. No. 1872**

The purpose of this measure is to require:

- (1) The Department of Land and Natural Resources to recognize that:
  - (A) Game mammals and game birds provide a sustainable food source that merits appropriate resource management to support viable populations sufficient for hunting;
  - (B) Proper management of game populations in appropriate areas minimizes their impacts and provides important benefits; and
  - (C) The State's unique relationship with the ocean requires careful consideration and management of land and ocean activities that prioritize the public trust responsibilities of the State; and
- (2) Each department, office, or agency of the State to update its rules and policies to integrate the local hunting and fishing industries into any food security or sustainability strategies that the department, office, or agency employs.

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. 1872, 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. 1872, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Branco, B. Kobayashi, Kong, and McDermott.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (McDermott).

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

**Conf. Com. Rep. 18-22 on H.B. No. 956**

The purpose of this measure is to:

- (1) Establish a Statewide Interoperable Communications Executive Committee and Subcommittee for public safety communications; and
- (2) Establish the Statewide Interoperable Communications Coordinator.

Your Committee has amended this measure by:

- (1) Clarifying that the Statewide Interoperable Communications Coordinator shall coordinate governing body activities to maximize integration and collaboration across the emergency communications landscape;
- (2) Changing the effective date to January 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 956, 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. 956, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Eli, Takayama, Perruso, Clark, Costales, Ichiyama, and Ward.  
Managers on the part of the House.  
Ayes, 7. Noes, none. Excused, none.

Senators DeCoite, Moriwaki, Kanuha, Riviere, and Fevella.  
Managers on the part of the Senate.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 19-22 on H.B. No. 1588**

The purpose of this measure is to:

- (1) Establish the Resilient Hawaii Revolving Loan Fund to make low- or no-interest loans to local governments and nonprofit organizations to conduct hazard mitigation and resiliency projects, using funds anticipated to be available under the federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act; and
- (2) Appropriate funds to administer the Resilient Hawaii Revolving Loan Fund and for positions to administer the Resilient Hawaii Revolving Loan Fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 into and out of the Resilient Hawaii Revolving Loan Fund;
- (2) Changing the effective date to July 1, 2022; 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. 1588, 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. 1588, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Eli, Perruso, Costales, Ichiyama, Mizuno, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, 1 (Mizuno).

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

**Conf. Com. Rep. 20-22 on H.B. No. 1412**

The purpose of this measure is to require:

- (1) The counties to provide a minimum distance a vehicle must be moved within a specified timeframe after a vehicle is initially inspected for abandonment to avoid an official classification of abandonment; and
- (2) That, before a vehicle can be classified as being abandoned, notice be provided that the vehicle must be moved the specified distance within the specified timeframe or be subject to removal.

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. 1412, 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. 1412, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Kitagawa, Ilagan, Nishimoto, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Nishimoto).

Senators Lee, Moriwaki, Acasio, and Fevella.

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

**Conf. Com. Rep. 21-22 on H.B. No. 1413**

The purpose of this measure is to:

- (1) Allow the Director of Finance of a county to require payment of outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle within the county by the registered owner of the abandoned vehicle before issuing a certificate of registration or completing a transfer of ownership, except under certain circumstances; and
- (2) Require the Director of Finance of a county to notify the appropriate county examiner of drivers of individuals who have outstanding charges and fines owed to the county relating to the disposition of an abandoned vehicle for the purposes of suspending, revoking, or prohibiting the renewal of their driver's licenses.

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. 1413, 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. 1413, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Kitagawa, Ilagan, Clark, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Moriwaki, Acasio, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 22-22 on H.B. No. 1414**

The purpose of this measure is to hold a person who is the registered owner of a vehicle that was deemed abandoned or derelict liable and subject to a tiered fine system.

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 H.B. No. 1414, 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. 1414, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Nakashima, Ilagan, Clark, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Acasio, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 23-22 on H.B. No. 1688**

The purpose of this measure is to:

- (1) Subject U-drive motor vehicles to the same motor vehicle registration fees as other motor vehicles;
- (2) Amend the maximum amount that a county may charge for an additional motor vehicle registration fee; and
- (3) Authorize the counties to use certain motor vehicle registration fees to mitigate and address the impacts of tourism-related traffic congestion.

Your Committee on Conference has amended this measure by:

- (1) Restoring language that authorized each county, by ordinance, to increase the additional motor vehicle registration fee to a maximum of \$10; and
- (2) Changing the effective date to January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1688, 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. 1688, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Kitagawa, Ilagan, Clark, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Moriwaki, Wakai, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 24-22 on H.B. No. 2416**

The purpose of this measure is to inform the public of the sources of campaign spending contributions by:

- (1) Permitting 501(c)(4) nonprofit organizations to use donations for electioneering communications, independent expenditures, or contributions only upon receipt of written consent from the donor to use such donations for these purposes and requiring nonprofit organizations to provide certain written notice to donors;
- (2) Requiring 501(c)(4) nonprofit organizations to disclose the name and address of each donor who donates an aggregate of more than \$10,000, with certain exceptions; and
- (3) Specifying that the disclosure date of an electioneering communication and only subsequent electioneering communications is the first date the original or subsequent electioneering communication is made.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the consent, notice, disclosure, and reporting requirement under this measure are applicable to 501(c)(4) nonprofit organizations that are subject to Chapter 11, Hawaii Revised Statutes, relating to elections, and are operating as noncandidate committees;
- (2) Exempting election advertisements published by electronic means and candidate debates or forums made by or on behalf of an organization sponsoring the debate or forum from being considered electioneering communications;
- (3) Requiring the disclosure by 501(c)(4) nonprofit organizations of the name and address of each donor making a donation individually or aggregating more than \$10,000;
- (4) Requiring disclosure of an electioneering communication and subsequent electioneering communication on the first date the electioneering communication or subsequent electioneering communication is publicly distributed, rather than on the first date these electioneering communications are made;
- (5) Clarifying that the disclosure date for mailers means the date the mailers are first mailed;
- (6) Changing the effective date to January 1, 2023; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2416, 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. 2416, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Matayoshi, Kitagawa, Nakashima, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 25-22 on H.B. No. 1475**

The purpose of this measure is to require:

- (1) Legislators and certain state employees whose financial disclosure statements are public record to complete a live ethics training course administered by the State Ethics Commission within ninety days of taking office and at least once every four years thereafter;
- (2) All other state employees to complete either a live or an online ethics training course administered by the State Ethics Commission within ninety days of the start of employment and at least once every four years thereafter; and
- (3) Existing state legislators and employees who have not received ethics training within the immediately preceding three years of the effective date of this measure to complete a live or an online ethics training course within twelve months of this measure's effective date and at least once every four years thereafter.

Your Committee on Conference finds that, in light of the COVID-19 pandemic, there should be flexibility given to the State Ethics Commission to do virtual ethics training with a virtual video platform of the Commission's choice. Furthermore, ethics training done in this manner should be considered to fulfill the live ethics training course requirements provided in this measure. Your Committee on Conference notes the concerns of the public that a penalty for state employees who choose not to complete the required ethics training should be included in this measure. However, your Committee on Conference also notes that the State Ethics Commission already has powers to address instances of blatant noncompliance and as such feel there is no need to include any remediation of actions within this measure.

Your Committee on Conference has amended this measure by:

- (1) Allowing the implementation of the online ethics training course to include previously recorded ethics training courses originally conducted either in person or via videoconference and any other prerecorded material authorized by the State Ethics Commission;
- (2) Requiring state agencies to assist the State Ethics Commission by providing technical support as needed for the ethics training courses;
- (3) Changing the effective date to January 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1475, 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. 1475, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Nakashima, Costales, Mizuno, and Ward.

Managers on the part of the House.

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

Senators Taniguchi, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 26-22 on S.B. No. 2457**

The purpose of this measure is to appropriate funds to the Department of Labor and Industrial Relations' Office of Community Services to restore funding for Immigrant Resource Centers for the purpose of providing staff and resources to assist immigrant and refugee populations throughout the State; provided that the Office includes an outreach component in the services it provides.

Your Committee on Conference finds that despite being vital members of the community and workforce in Hawaii, many immigrants face barriers to success, including discrimination, cultural misunderstanding, and language access to government information and services. Your Committee on Conference also finds that from fiscal years 2014 through 2017, the Office of Community Services maintained Immigrant Resource Centers in all four counties to provide low-income immigrants with the needed support services; however, the centers are no longer operating due to the lack of funding. This measure will restore funds for the Immigrant Resource Centers to provide the immigrant and refugee populations the necessary support to transition into life in Hawaii and increase opportunities to make civic and economic contributions to the community.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000;
- (2) Inserting an effective date of July 1, 2022; 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. 2457, 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. 2457, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Sayama, Aquino, and Okimoto.

Managers on the part of the House.

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

Senators San Buenaventura, Taniguchi, Shimabukuro, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 27-22 on S.B. No. 152**

The purpose of this measure is to:

- (1) Amend requirements for the restraint of child passengers;
- (2) Require a rear-facing child passenger restraint system with a harness for children under two years of age;
- (3) Repeal exceptions for compliance; and
- (4) Raise certain fines for violations.

Your Committee on Conference finds that child safety requirements in motor vehicles need to be improved. Your Committee on Conference further finds that some exceptions for safety compliance should be repealed, and that fines for violations should be increased to encourage compliance with legal requirements.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 152, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 152, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Ilagan, Clark, Takumi, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Gabbard, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 28-22 on S.B. No. 2118**

The purpose of this measure is to require the driver of a moped to be in immediate possession of a valid driver's license or instruction permit at all times.

Your Committee on Conference finds that existing law governing moped licenses can create confusion and difficulty in law enforcement. The statutes require a moped operator to have a license but do not specify that this license must be on the operator's person when operating a moped. This measure clarifies that when operating a moped, the driver must have their moped license on their person.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2118, 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. 2118, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Matayoshi, Clark, Ilagan, D. Kobayashi, and Matsumoto.

Managers on the part of the House.

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



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

**Conf. Com. Rep. 29-22 on S.B. No. 2059**

The purpose of this measure is to designate the 'ōhi'a lehua as the state endemic tree.

Your Committee on Conference finds that the 'ōhi'a lehua is an endemic plant species found only in the Hawaiian Islands that has unique cultural, ecological, and economic value to the people of Hawaii. Your Committee on Conference also finds that the existence of the 'ōhi'a lehua is currently under threat, including from diseases such as a fungal pathogen known as rapid 'ōhi'a death. Your Committee on Conference believes that this measure will not only allow the people of Hawaii to recognize the 'ōhi'a lehua's cultural and ecological importance to the State, but also raise awareness of the critical threats the endemic plant species is currently facing and prompt effective conservation and expansion of its habitat in the State.

Your Committee on Conference has amended this measure by inserting an effective date of 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. 2059, 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. 2059, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Nakashima, Kapela, and Ward.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Ward).  
Senators Taniguchi, Keohokalole, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 30-22 on S.B. No. 2202**

The purpose of this measure is to designate the month of April of each year as Volunteer Month in Hawaii.

Your Committee on Conference finds that volunteers play a critical and irreplaceable role in providing essential support to the community. Your Committee on Conference also finds that, on a national level, April has long been dedicated to the recognition of the services volunteers provide in their communities. By designating the month of April of each year as the State's Volunteer Month, this measure honors the good deeds performed by volunteers in the community and encourages participation in service projects throughout the month.

Your Committee on Conference has amended this measure by inserting an effective date of 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. 2202, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2202, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Nakashima, Har, and Ward.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (Har).  
Senators Taniguchi, Ihara, and Fevella.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Ihara).

**Conf. Com. Rep. 31-22 on S.B. No. 2960**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to partner with Hawaii's agricultural community to establish and implement a food safety certification training program to help small- to medium-sized farms comply with federal food safety certification mandates; and
- (2) Appropriate funds.

Your Committee on Conference finds that compliance with federal food safety requirements can be challenging for Hawaii's small farms due to a lack of resources and knowledge of food safety requirements. Additional education and support for Hawaii's small farmers are necessary to ensure the continued productivity and viability of the State's agricultural industry. Accordingly, this measure requires the Department of Agriculture to partner with Hawaii's agricultural community to implement a food safety certification training program for small- and medium-sized farms.

Your Committee on Conference has amended this measure by inserting an appropriation amount of \$265,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2960, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2960, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Quinlan, Perruso, Matayoshi, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.  
Senators Gabbard, Shimabukuro, Acasio, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 32-22 on S.B. No. 2990**

The purpose of this measure is to:

- (1) Establish a cover crop reimbursement pilot program to provide up to seventy-five percent cost reimbursement to farming operations in the State for the acquisition of cover crop seeds, green manure, or compost;
- (2) Require the convening of a review panel to screen and rate applicants on the quality of their cover crop, green manure, and composting practices;
- (3) Establish a cover crop reimbursement pilot program manager position within the department of agriculture to administer the program;
- (4) Require reports to the legislature; and
- (5) Appropriate funds.

Your Committee on Conference finds that the use of cover crops significantly increases agricultural productivity, which is essential to the State's food security and self-sufficiency goals. A cover crop program would incentivize beneficial and sustainable use of cover crops by agricultural producers in the State. Accordingly, this measure establishes and funds a cover crop pilot program to be administered by the Department of Agriculture.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000;
- (2) Deleting the proviso limiting expenses allowed for administrative costs; and
- (3) Inserting an effective date of 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. 2990, 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. 2990, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Shimabukuro, Acasio, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 33-22 on S.B. No. 339**

The purpose of this measure is to extend the period during which the important agricultural land qualified agricultural cost tax credit is available.

Your Committee on Conference finds that the important agricultural land qualified tax credit is crucial to the State's food security and self-sufficiency objectives. However, the Department of Agriculture is not able to certify tax credits for taxable years beginning after December 31, 2021. This measure extends the period during which the important agricultural land qualified tax credit is available until December 31, 2030.

Your Committee on Conference has amended this measure by inserting an effective date of 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. 339, 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. 339, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, Morikawa, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 34-22 on S.B. No. 1411**

The purpose of this measure is to:

- (1) Define "pre-contact historic property";
- (2) Clarify that the Historic Preservation Program includes providing consultation to counties and public and private agencies involved in historic presentation and the development, publication, and distribution of materials about protections for burials, historic sites, and archaeological resources;
- (3) Amend the composition and duties of the Hawaii Historic Places Review Board;
- (4) Increase civil and administrative fines for certain violations of historic and preservation requirements; and
- (5) Hold violators liable for costs associated with mitigation or preservation measures.

Your Committee on Conference finds that the State continues to strike a balance between the preservation and existence of Native Hawaiian traditional and cultural practices amidst construction, development, and modernization. Clarifying the responsibilities of several key programs and organizations, including the Hawaii Preservation Program, Hawaii Historic Places Review Board, and the community at-large, will continue to ensure the preservation and protection of Native Hawaiian culture and traditions.

Your Committee on Conference has amended this measure by:

- (1) Deleting the proposed definition of "pre-contact historic property";
- (2) Deleting the requirement that the comprehensive historic preservation program develop, publish, and distribute certain informational materials;
- (3) Deleting changes to the review board membership and duties;

- (4) Deleting language that would have imposed a fine of no more than \$30,000 on a violator who directly or indirectly causes damage to any pre-contact historic property as determined by the Department of Land and Natural Resources in consultation with the Office of Hawaiian Affairs;
- (5) Requiring any landowner or developer responsible for projects where a violation is found to execute any mitigation and preservation measures as ordered by the Department of Land and Natural Resources and be jointly and severally liable for associated costs;
- (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. 1411, 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. 1411, S.D. 2, H.D. 1, 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, Acasio, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 35-22 on S.B. No. 2767**

The purpose of this measure is to appropriate funds to the Department of Land and Natural Resources for the deployment, replacement, and maintenance of fish aggregation devices.

Your Committee on Conference finds that the State's system of fish aggregation devices, or FADs, maintained by the Hawaii Institute of Marine Biology provides enhanced fishing opportunities for island fishers. Maintenance of the FAD program is labor-intensive as the devices are prone to breaking off and frequently need to be replaced or recovered and re-deployed, resulting in less fish for personal or community consumption and increased operational costs. Sufficient and timely upkeep and replacement of FADs may minimize the length of time off-station and the resulting lost fishing opportunities.

Your Committee on Conference has amended this measure by inserting an appropriation of \$350,000 to support the Fish Aggregation Device Program.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2767, 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. 2767, S.D. 1, H.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, Taniguchi, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 36-22 on S.B. No. 3329**

The purpose of this measure is to repeal chapter 634F, Hawaii Revised Statutes, the Citizen Participation in Government Act, and enact the Hawaii Public Expression Protection Act in its place.

Your Committee on Conference finds that the enactment in 2002 of Hawaii's Citizen Participation in Government Act was intended to promote the rights of citizens to participate in government and to protect citizens from the chilling effect of retributive strategic lawsuits against public participation, or SLAPP suits. Your Committee on Conference further finds that, due to narrow and confusing provisions under the Act, courts often decline to apply its procedural protections. Your Committee on Conference additionally finds that this measure modernizes the State's anti-SLAPP laws by adopting the Uniform Public Expression Protection Act, which establishes procedural protections for all parties and clearer instructions for courts to fairly and expeditiously dispose of SLAPP claims.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3329, 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. 3329, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Nakashima, Wildberger, Matayoshi, 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. 37-22 on S.B. No. 1211**

The purpose of this measure is to repeal the exemption for certain vehicles used by farmers from the motor carrier safety law.

Your Committee on Conference finds that section 286-208, Hawaii Revised Statutes, is superseded by new federal regulations and is thus outdated. This measure repeals the outdated statute as its existence could disqualify the State from receiving certain federal funding.

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. 1211, 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. 1211, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Nakashima, LoPresti, and Matsumoto.

Managers on the part of the House.

Ayes, 4. 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. 38-22 on S.B. No. 3335**

The purpose of this measure is to appropriate funds to support the operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee on Conference finds that the Hawaii Wing of the Civil Air Patrol provides invaluable assistance in emergency and disaster response efforts in the State. This measure will ensure the safety of the State's visitors and residents by appropriating funds for operational expenses of the Hawaii Wing of the Civil Air Patrol.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$150,000 to fund the operational expenses of the Hawaii Wing of the Civil Air Patrol; and
- (2) 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. 3335, 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. 3335, S.D. 1, 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 DeCoite, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 39-22 on S.B. No. 3140**

The purpose of this measure is to:

- (1) Require the holder of a controlled substances registration to immediately and verbally report to the Administrator of the Narcotics Enforcement Division of the Department of Public Safety any suspected theft, embezzlement, fraud, or diversion of a controlled substance in the holder's inventory, and to subsequently submit a written report; and
- (2) Establish a misdemeanor penalty for a person who knowingly prevents another from reporting any suspected theft, embezzlement, fraud, or diversion, or who knowingly fails to provide required information to the Administrator.

Your Committee on Conference finds that the theft, embezzlement, fraud, and diversion of controlled substances threaten public health and safety and suspected incidents of such are often not being reported in a timely matter to the Department of Public Safety for various reasons, making it substantially more difficult for the Department of Public Safety to enforce the Uniform Controlled Substances Act. This measure will assist the Department of Public Safety in enforcing the Uniform Controlled Substances Act.

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. 3140, 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. 3140, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Matayoshi, Mizuno, and Matsumoto.

Managers on the part of the House.

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

Senators DeCoite, Kim, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 40-22 on S.B. No. 3141**

The purpose of this measure is to update the Uniform Controlled Substances Act to make it consistent with the federal Controlled Substances Act.

Your Committee on Conference finds that existing law requires that if a substance is added, deleted, or rescheduled by an emergency scheduling action taken by the Department of Public Safety, or under federal law, then the Department is required to recommend that the Legislature make corresponding changes to state law. Your Committee on Conference further finds that if the Legislature does not make the Department of Public Safety's temporary designation of new controlled substances permanent, the Department's temporary designations will be nullified. This measure eliminates the differences between federal and state law and avoids nullification of controlled substances that were temporarily designated in 2021.

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. 3141, 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. 3141, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Matayoshi, Har, and Matsumoto.

Managers on the part of the House.

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

Senators DeCoite, Kim, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 41-22 on S.B. No. 3085**

The purpose of this measure is to:

- (1) Provide a comprehensive law setting forth military judicial procedures, which will apply to all members of the State's military forces while not in federal service; and
- (2) Repeal the existing Hawaii Code of Military Justice.

Your Committee on Conference finds that the existing Hawaii Code of Military Justice fails to provide for effective and efficient good order and discipline in the state military forces because it lacks the necessary disciplinary options. This measure will address those issues, further develop confidence in an independent military justice system, and bring the military justice process in line with the Uniform Code of Military Justice by repealing the existing Hawaii Code of Military Justice and replacing it with a new chapter that sets forth military judicial procedures, which apply to all members of the State's military forces while not in federal service.

Your Committee on Conference has amended this measure by changing the effective date to January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3085, 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. 3085, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Matayoshi, B. Kobayashi, Ganaden, Morikawa, and McDermott.

Managers on the part of the House.

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

Senators DeCoite, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 42-22 on S.B. No. 3165**

The purpose of this measure is to:

- (1) Amend the driver's license revocation period for first-time offenders convicted of operating a vehicle under the influence of an intoxicant and persons who do not install an ignition interlock device;
- (2) Allow for the early termination of a driver's license revocation;
- (3) Require any person operating a vehicle with an ignition interlock device to have government-issued identification in their immediate possession;
- (4) Amend the lookback period and sentencing requirements for violations of operating a vehicle after license and privilege have been suspended or revoked; and
- (5) Amend the offense of circumventing or tampering with an ignition interlock device to include obscuring the camera lens or failing to provide a picture of the driver, and extend the lookback period.

Your Committee on Conference finds that operating a vehicle while under the influence of alcohol and drugs continues to be a serious problem on Hawaii's roads. An ignition interlock device is an effective tool to prevent a person under the influence of alcohol from driving. This measure helps strengthen the State's ignition interlock device laws.

Your Committee on Conference has amended this measure by changing its effective date to January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3165, 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. 3165, S.D. 2, H.D. 1, 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, 2. Noes, none. Excused, 1 (Ward).

Senators Lee, Riviere, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 43-22 on S.B. No. 2091**

The purpose of this measure is to establish a comprehensive application process for executive pardons.

Your Committee on Conference finds that county prosecutors and crime victims in the State do not receive advance notice of applications for executive pardons, creating a situation where neither prosecutors nor the victims are able to provide any input for the Governor's consideration, as they do for furlough

and parole prior to an offender's conviction or sentencing. This measure will allow the Governor to make more informed decisions by establishing a consistent and reliable means for prosecutors and victims to be able to provide input on all applications for pardon.

Your Committee on Conference has amended this measure by:

- (1) Inserting language requiring the Hawaii Paroling Authority to transmit application information to the prosecuting attorney within forty-five days from receiving the application for pardon; and
- (2) Changing the effective date to January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2091, 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. 2091, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Matayoshi, Ganaden, and McDermott.

Managers on the part of the House.

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

Senators Rhoads, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 44-22 on S.B. No. 3041**

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 claim amounts.

Your Committee on Conference takes note of the six claims settled against the Department of Public Safety for a total of \$6,365,540.00. These claims resulted from egregious incidents that the State should ensure are not repeated. Your Committee expects the Department of the Attorney General to provide thorough corrective guidance and oversight to the Department of Public Safety to eliminate or mitigate the factors that contributed to the State's negligence.

Your Committee on Conference has amended this measure by:

- (1) Including various general fund appropriations to the Department of the Attorney General for the purpose of satisfying claims for legislative relief;
- (2) Increasing the total general fund appropriation from \$1,779,889.75 to \$335,577,607.93 to settle eleven additional claims totaling \$333,797,718.18, as follows:
  - (A) \$47,718.18 for six miscellaneous claims;
  - (B) \$225,000.00 to fund the settlement of Gallagher v. Lanihuli Community Development Corporation;
  - (C) \$4,000,000.00 to fund the settlement of Mueller v. Department of Public Safety;
  - (D) \$1,375,000.00 to satisfy the judgment in O'Malley v. State of Hawaii;
  - (E) \$150,000.00 to satisfy the judgment in Roe v. State of Hawaii; and
  - (F) \$328,000,000.00 to fund the settlement of Kalima v. State of Hawaii;
- (3) Appropriating \$138,000.00 from the state highway fund to settle one additional claim by Markel American Insurance Company (Maui Oil Company);
- (4) Clarifying that the claims against the Agribusiness Development Corporation, Department of Land and Natural Resources, Department of Public Safety, and Hawaii State Public Charter School Commission shall be paid from general funds;
- (5) Making the measure effective upon its approval; and
- (6) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3041, 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. 3041, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, Kim, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 45-22 on S.B. No. 3298**

The purpose of this measure is to:

- (1) Establish a working group to determine potential locations and requirements for a shooting facility on the island of Hawaii; and
- (2) Appropriate funds to establish a shooting facility in the County of Hawaii; provided that the County of Hawaii provides matching funds on a dollar-to-dollar basis.

Your Committee on Conference finds that the establishment of a multi-use public shooting range on the island of Hawaii is necessary to provide a safe and organized facility to allow law enforcement agencies and the public to train and maintain their firearms skills. This measure will lay the foundation to provide a safe training area for the residents of the County of Hawaii by establishing a working group to determine potential locations and requirements for a shooting facility on the island of Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have appropriated funds to establish the shooting facility in the County of Hawaii;
- (2) Changing the effective date to 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. 3298, 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. 3298, S.D. 1, H.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 DeCoite, Inouye, Kanuha, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 46-22 on S.B. No. 665**

The purpose of this measure is to:

- (1) Make intentionally providing false information concerning the name or address of a person paying for a campaign advertisement a class C felony;
- (2) Authorize criminal prosecution for campaign finance law violations in addition to administrative fines;
- (3) Increase the period during which a person convicted for a criminal violation of campaign finance law is disqualified from holding elective office; and
- (4) Authorize the Attorney General or Prosecuting Attorney to commence prosecution of campaign finance law violations.

Your Committee on Conference finds that campaign advertisements that contain false information regarding who is paying for the advertisement impairs public transparency in the electoral process. This measure promotes greater accountability within the election system by increasing the penalties for, and removing barriers to criminal prosecution of campaign finance law violations.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 665, 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. 665, S.D. 1, H.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, 3. Noes, none. Excused, 1 (Ward).

Senators Rhoads, Lee, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 47-22 on S.B. No. 2017**

The purpose of this measure is to repeal existing law that limits licensure as an Emergency Medical Technician 1 to individuals whose practice is performed in a county with a population of five hundred thousand or greater.

Your Committee on Conference finds that Act 119, Session Laws of Hawaii 2021, limited the new licensure category for emergency medical technicians who only have a National Registry Emergency Medical Technician certification to individuals practicing in counties with a population of five hundred thousand or greater, which excluded persons who meet the criteria for licensure in non-qualifying counties. This measure will eliminate the geographic restriction and expand licensure to all National Registry of Emergency Medical Technicians throughout 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. 2017, 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. 2017, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Kitagawa, Tam, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Keohokalole, Baker, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 48-22 on S.B. No. 3089**

The purpose of this measure is to:

- (1) Clarify that powers granted for emergency purposes shall not be inconsistent with the Hawaii State Constitution;
- (2) Provide parameters for the duration of the suspension of laws and require justification for the suspension;
- (3) Authorize the Governor to require counties to obtain the approval of the Governor or Director of the Hawaii Emergency Management Agency before issuing any emergency order, rule, or proclamation;

- (4) Clarify the legal framework governing the extension and termination of emergency periods;
- (5) Authorize the Legislature and county councils to terminate, in part or in whole, a state of emergency or local state of emergency, as applicable, by an affirmative two-thirds vote;
- (6) Clarify that the Governor and mayors may re-declare a state of emergency or local state of emergency, as applicable, that has been terminated; and
- (7) Specify when certain prohibitions during an emergency or severe warning expire.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic has highlighted the importance of clear legal frameworks for state emergency management to ensure that the State is ready for any type of emergency. This measure will protect the health, safety, and welfare of residents by clarifying state emergency management authority, ensuring effective and adaptable emergency responses, and furthering the goals of transparency and democratic accountability inherent within the Hawaii State Constitution.

Your Committee on Conference has amended this measure by:

- (1) Inserting language making public records generated during or containing information from the time of the suspension subject to disclosure requests made after the suspension has terminated;
- (2) Removing language that would have allowed the county councils to terminate a local state of emergency;
- (3) Removing language that would have allowed a mayor to redeclare a local state of emergency that has been terminated;
- (4) Clarifying that if certain prohibitions during a severe warning are continued then the types of commodities affected must be identified in the proclamation or any supplementary proclamation;
- (5) Changing the effective date to upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3089, 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. 3089, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Matayoshi, Eli, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Rhoads, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 49-22 on S.B. No. 2869**

The purpose of this measure is to allow a spouse or former spouse to enforce an order for spousal support or maintenance under the State's attachment and execution, garnishment, or garnishment of government benefits laws, rather than through an assignment made to the clerk of the family court on income due or future income.

Your Committee on Conference finds that currently spousal support orders are enforced by the clerk of the court and the Child Support Enforcement Agency in cases where there is an order for both spousal and child support, resulting in a process that is often complicated and slow. This measure will make it faster and easier for an obligee to receive spousal support by allowing an obligee to elect to enforce an order for spousal support by garnishment through the obligor's employer, rather than through the clerk of the court.

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. 2869, 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. 2869, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Ichiyama, Tam, 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, 2. Noes, none. Excused, 1 (Kim).

#### **Conf. Com. Rep. 50-22 on H.B. No. 1991**

The purpose of this measure is to:

- (1) Prohibit, in counties with a population of five hundred thousand or more, the sale of a bicycle that is reported as stolen and listed on a publicly available online stolen bicycle database;
- (2) Require the police department or other designated agency in counties with a population of five hundred thousand or more to establish the publicly available online stolen bicycle database; and
- (3) Update the recordkeeping and retention requirements for businesses that buy previously owned articles.

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. 1991, 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. 1991, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Kitagawa, Marten, and Ward.

Managers on the part of the House.

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

Senators Lee, Baker, Gabbard, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 51-22 on H.B. No. 2197**

The purpose of this measure is to amend:

- (1) The requisite state of mind for promoting gambling in the first and second degree to recklessness and negligence, respectively;
- (2) The offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively; and
- (3) The definition of "advance gambling activity" to repeal playing or participating in any form of gambling activity.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made the offense of promoting gambling in the second degree subject to repeat offender sentencing provisions;
- (2) Amending the offense of gambling to repeal advancing any gambling activity;
- (3) Excluding the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea; 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. 2197, 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. 2197, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Kitagawa, and Ward.

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. 52-22 on H.B. No. 1567**

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, nonviolent petty misdemeanor offenses, nonviolent misdemeanor offenses, or nonviolent class C felony offenses; and
- (2) Allow defendants the option to participate in a bail report interview via videoconference.

Your Committee on Conference has amended this measure by:

- (1) Excluding the class C felony offenses of promoting a dangerous drug in the third degree and habitual property crime from eligibility for mandatory release without bail;
- (2) Deleting language that required the Director of Public Safety to release certain defendants who are unable to post bail in the amount of \$99 or less;
- (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. 1567, 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. 1567, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Matayoshi, Holt, and Sayama.

Managers on the part of the House.

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

Senators Nishihara, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 53-22 on H.B. No. 2075**

The purpose of this measure is to:

- (1) Increase the time frame that a permit to acquire a pistol or revolver can be used from ten days to thirty days; and

- (2) Eliminate physical inspection of firearms generally, except for firearms brought into the State, firearms involved in private sales or transfers, and firearms and firearm receivers with engraved or embedded registration numbers.

Your Committee on Conference has amended this measure by:

- (1) Amending the preamble;
- (2) Deleting language that would have increased the time frame that a permit to acquire a pistol or revolver can be used from ten days to thirty days;
- (3) Inserting a severability clause;
- (4) Changing the effective date to upon approval;
- (5) Inserting a sunset date of June 30, 2025; 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. 2075, 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. 2075, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Matayoshi, and Matsumoto.

Managers on the part of the House.

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

Senators Rhoads, Keohokalole, Lee, and Fevella.

Managers on the part of the Senate.

Ayes, 2. Noes, 1 (Fevella). Excused, 1 (Keohokalole).

#### **Conf. Com. Rep. 54-22 on S.B. No. 3172**

The purpose of this measure is to repeal the option for boards to provide recorded minutes accompanied by written summaries as an alternative to written minutes of board meetings.

Your Committee on Conference finds that public scrutiny and participation in the governmental process is important to protect the public's interests. Your Committee on Conference further finds that requiring electronic audio or video recordings of public meetings to be kept as a public record will encourage transparency and help ensure the public has access to and information regarding these meetings.

Your Committee on Conference has amended this measure by:

- (1) Requiring boards to maintain any electronic audio or video recording of a board meeting as a public record, regardless of whether the written minutes of the board meeting have been posted;
- (2) Amending the information that must be included as part of the written minutes of board meetings;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an effective date of October 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. 3172, 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. 3172, S.D. 1, H.D. 2, 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, Lee, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 55-22 on S.B. No. 2065**

The purpose of this measure is to prohibit the possession or use of unmanned aerial vehicles on, in, or near state marine waters for purposes of fishing, unless permitted by the Department of Land and Natural Resources.

Your Committee on Conference finds that unmanned aerial vehicles are increasingly used in the fishing industry for a variety of purposes, including the deployment of fishing hooks further offshore than traditional fishing methods. While such methods increase fishing efficiency, they also present new risks to marine ecosystems. This measure prohibits unpermitted use of unmanned aerial vehicles for fishing purposes to better preserve marine wildlife and prevent environmental damage.

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. 2065, 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. 2065, S.D. 2, H.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 Gabbard, Inouye, Rhoads, and Fevella.

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

**Conf. Com. Rep. 56-22 on S.B. No. 3219**

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting applies only to the disclosure of the names of adults, and not minors, who are physically with the board member at a nonpublic location, unless the minor has a private interest with any issue before the board.

Your Committee on Conference finds that the Sunshine Law's newly effective remote meetings provision requires a board member participating from a nonpublic location to state who, if anyone, is present at the same location. Your Committee on Conference further finds that there are times when a board member may have their minor children with them during a remote board meeting. This measure will protect the privacy and identity of minors that are with a board member during a meeting.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the mandatory disclosure of the names of minors present with a board member in a nonpublic location during a meeting of the board who have a private interest with any issue before the board applies to minors with a personal business, property, or financial interest; and
- (2) Inserting an effective date of 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. 3219, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3219, 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, Lee, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 57-22 on S.B. No. 2398**

The purpose of this measure is to:

- (1) Create the Pulehunui Community Development District to allow for planning, development, and maintenance of public lands in Pulehunui, Maui; and
- (2) Amend the Hawaii Community Development Authority membership to include the Director of Business, Economic Development, and Tourism; Chairperson of the Board of Land and Natural Resources; and director of the department of planning and permitting of each county, or their respective designees, in which a community development district is located.

Your Committee on Conference finds that establishing a dedicated development district will allow the governing board to access various forms of federal funding to develop lands within the district. Your Committee on Conference further finds that the public lands in Pulehunui, Maui, are relatively underdeveloped and afford strong potential for growth and development to meet community needs. Accordingly, this measure will facilitate community-oriented development by establishing the Pulehunui Community Development District and by amending the composition of the Hawaii Community Development Authority.

Your Committee on Conference has amended this measure by:

- (1) Deleting the rulemaking authorization from the new part added by this measure to chapter 206E, Hawaii Revised Statutes; 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. 2398, 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. 2398, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Yamashita, Branco, and McDermott.

Managers on the part of the House.

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

Senators Moriwaki, Wakai, Inouye, Kanuha, Kim, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 58-22 on S.B. No. 2383**

The purpose of this measure is to:

- (1) Decrease the membership of the State Procurement Policy Board from seven members to five;
- (2) Clarify the appointment and experience requirements for members of the State Procurement Policy Board; and
- (3) Repeal the State Procurement Policy Board nominating committee.

Your Committee on Conference finds that the State Procurement Policy Board has not held a meeting for several years due to attrition, a lack of applicants for vacancies, and the inability to meet quorum. By the end of the 2022 Regular Session, the seven-member State Procurement Policy Board will have just one member, the Comptroller. Accordingly, this measure restructures the State Procurement Policy Board to address the issue of vacancies on the Board and enables the Board to fulfill its duties.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the experience requirements for members of the State Procurement Policy Board;
- (2) Amending section 1 for clarity and to reflect its amended purpose; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2383, 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. 2383, S.D. 2, H.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, 3. Noes, none. Excused, 1 (Ward).

Senators Moriwaki, Kim, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 59-22 on S.B. No. 2137**

The purpose of this measure is to require the Department of Health and pertinent county agencies to work together to resolve problems and complaints regarding clean and sober homes.

Your Committee on Conference finds that clean and sober homes are a critical component of treatment for, and recovery from, substance use disorders. Your Committee on Conference further finds, however, that surrounding communities have voiced concerns regarding the operation of clean and sober homes within their community. Accordingly, this measure seeks to harmonize the needs of individuals who access clean and sober home services and the concerns of surrounding communities by establishing a framework to provide information and address community concerns.

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. 2137, 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. 2137, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Nakamura, Tam, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Keohokalole, Kim, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 60-22 on S.B. No. 3372**

The purpose of this measure is to authorize the Office of Administrative Hearings, where it is determined that an award of a contract is in violation of law and the award is rescinded and the contract, if executed, is terminated or declared null and void, to award the government contract to the next lowest bidder or next responsible offeror, if certain conditions are met.

Your Committee on Conference finds that existing law lacks a statutory procedure to address to whom a contract may be awarded when it is determined that a solicitation or award of a contract violates the law. As a result, under these circumstances, the only remedy available to the Office of Administrative Hearings is to terminate the contract and begin the procurement process anew. Your Committee on Conference further finds that contract termination and re-solicitation delays the procurement process. Accordingly, this measure ensures fairness while minimizing delays in the procurement process by expanding the remedial powers of the Office of Administrative Hearings in situations where an award of a contract is determined to violate the law.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the alternate award recipient is the next lowest responsible and responsive bidder or offeror; and
- (2) Inserting an effective date of 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. 3372, 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. 3372, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Johanson, Wildberger, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Kim, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 61-22 on S.B. No. 2986**

The purpose of this measure is to:

- (1) Relax certain regulations of commercial hemp cultivation and exportation;
- (2) Allow licensed hemp producers to sell hemp biomass directly to consumers via online platforms;
- (3) Require the identity statement used for labeling or advertising any hemp product to identify the percentage of Hawaii grown or processed hemp products in all hemp products and, if those products are not from Hawaii, the origin of any hemp product; and

(4) Extend the sunset date of Act 14, Session Laws of Hawaii 2020, which establishes the state hemp processors and commercial hemp production laws.

Your Committee on Conference finds that hemp remains a valuable crop that could bring significant revenues to the State. However, the hemp industry in Hawaii suffers from overregulation. Notably, in 2020, the Legislature passed Act 14, Session Laws of Hawaii 2020, (Act 14) to address key issues in the regulation of hemp. While there remains considerable disagreement on the required reforms, your Committee on Conference further finds that Act 14 will lapse on June 30, 2022. Accordingly, it is necessary to extend the date on which Act 14 will be repealed to July 1, 2025.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the legislative findings in the preamble;
- (2) Removing proposed amendments to existing hemp regulations; 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. 2986, 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. 2986, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Johanson, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Baker, Acasio, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 62-22 on S.B. No. 2798**

The purpose of this measure is to:

- (1) Authorize the Hawaii Board of Veterinary Medicine to grant temporary courtesy and relief permits for out-of-state veterinarians;
- (2) Permit licensed veterinarians to practice veterinarian telemedicine;
- (3) Create a permit surcharge; and
- (4) Allow for international veterinary school graduates to qualify for the licensure examination.

Your Committee on Conference finds that Hawaii faces a shortage of experienced and licensed veterinarians. Allowing more veterinarians licensed in other jurisdictions to practice in the State on a temporary basis as needed would help alleviate the shortage. This measure authorizes the Hawaii Board of Veterinary Medicine to grant temporary and relief permits, permit licensed veterinarians to practice veterinarian telemedicine, and allow international veterinary school graduate to qualify for the licensure examination in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Repealing the requirement that examinations be given by the Board twice each year;
- (2) Establishing a temporary permit to be issued under certain conditions; and
- (3) Making it effective upon its approval; provided that the provisions creating courtesy and relief permits in section 1 of this measure shall be effective on July 1, 2024.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2798, 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. 2798, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Johanson, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Baker, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 63-22 on S.B. No. 3084**

The purpose of this measure is to amend the composition of the Elevator Mechanics Licensing Board to replace the ex-officio Department of Labor and Industrial Relations member with a licensed elevator mechanic member.

Your Committee on Conference finds that the Elevator Mechanic Licensing Board has experienced difficulty in achieving quorum to conduct its meetings. It has further been a challenge for the Department of Labor and Industrial Relations to make available an employee with expertise in elevator and escalator installation and maintenance, as required under existing law. This measure will relieve the Director of the Department of Labor and Industrial Relations of the need to dedicate personnel resources to Elevator Mechanic Licensing Board meetings and will grant more flexibility to the Board to address vacancies, make it easier to achieve quorum, and conduct its important business in a timely manner.

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. 3084, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3084, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Kitagawa, Mizuno, and Matsumoto.

Managers on the part of the House.  
Ayes, 2. Noes, none. Excused, 1 (Mizuno).

Senators Baker, Chang, DeCoite, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 64-22 on S.B. No. 2382**

The purpose of this measure is to prohibit the issuance of cabaret liquor licenses to premises located within an apartment mixed use subprecinct within a special improvement or special district in which the economy is primarily based on tourism.

Your Committee on Conference finds that cabarets located in resort areas are permitted to transact business until 4:00 a.m. throughout the entire week, which has created public safety and noise issues for visitors and residents living in resort areas. These long hours of operation can often result in increased criminal activity in the area, including assaults, attacks, and robberies, and can greatly disrupt sleep and residents' peaceful enjoyment of their homes. This measure will restrict the issuance of cabaret licenses within apartment mixed use subprecincts in qualifying special districts to assist with reducing noise and crime and to promote increased public safety and wellness.

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. 2382, 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. 2382, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Johanson, Branco, and McDermott.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 1 (McDermott).

Senators Baker, Chang, Riviere, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 65-22 on S.B. No. 2279**

The purpose of this measure is to:

- (1) Regulate the purchase of catalytic converters by used motor vehicle parts dealers and the purchase of palladium, platinum, and rhodium by scrap dealers and recyclers;
- (2) Subject persons who violate related provisions to a class C felony;
- (3) Establish the felony offense of theft of catalytic converter; and
- (4) Require each county police department to maintain certain reported information and initiate education programs to prevent catalytic converter thefts.

Your Committee on Conference finds that catalytic converter thefts are on the rise across the State. Catalytic converters contain precious metals such as platinum, palladium, and rhodium, the prices of which have also recently increased, making catalytic converters highly sought after by thieves due to their high resale value. The relative ease and speed in which a person can remove a catalytic converter from a vehicle, coupled with the value of the scrap and precious metal, has contributed to the increase in catalytic converter thefts. While catalytic converters can typically be resold on the market for less than a few hundred dollars, replacing a stolen catalytic converter can cost a car owner more than \$1,000, or perhaps more depending on the extent of damages. This measure increases regulations regarding the sale of catalytic converters, and the precious metals within catalytic converters, to reduce the incentive for catalytic converter theft in the State and subjects persons who violate these provisions to a class C felony.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have exempted certain sellers from the requirement to provide a written statement certifying certain information concerning the catalytic converters being offered for sale;
- (2) Inserting an effective date of January 1, 2023; provided that sections 3 and 4 of this measure shall take effect 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. 2279, 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. 2279, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Nakashima, Kitagawa, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

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

**Conf. Com. Rep. 66-22 on S.B. No. 2679**

The purpose of this measure is to extend the renewal period from two years to four years for licensees who are seventy-two years of age or older but younger than eighty years of age.

Your Committee on Conference finds that drivers seventy-two years of age or older but younger than eighty years of age without conditions that could impair their driving ability are safe enough to have a license renewal period of four years rather than two.

Your Committee on Conference has amended this measure by changing the effective date to January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2679, 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. 2679, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Nakashima, Johanson, Clark, Ilagan, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Moriwaki, Rhoads, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 67-22 on S.B. No. 2032**

The purpose of this measure is to establish the Hawaii Genetic Information Privacy Act, which:

- (1) Requires direct-to-consumer genetic testing companies to adhere to certain requirements pertaining to the collection, use, and disclosure of genetic data; and
- (2) Deems any violation as an unfair or deceptive trade practice subject to associated penalties.

Your Committee on Conference finds that direct-to-consumer genetic tests, which provide consumers with direct access to their genetic information without the involvement of health care providers and health plans, are marketed directly to consumers and purchased by consumers online or in stores. Consumers provide DNA samples to the direct-to-consumer genetic testing company, which then analyzes the DNA samples for genetic variations that fit the purpose of the test. Your Committee on Conference finds that while direct-to-consumer genetic testing promotes awareness of genetic diseases and can assist consumers in taking a proactive role in maintaining or improving their health and wellness, there is currently little oversight or regulation with respect to how the privacy and confidentiality of a consumer's genetic information are protected. This measure establishes the Hawaii Genetic Information Privacy Act to protect consumers' privacy and confidentiality of genetic data.

Your Committee on Conference has amended this measure by:

- (1) Specifying that a violation of the Hawaii Genetic Information Privacy Act shall result in a civil penalty of not less than \$2,500;
- (2) Authorizing the Office of Consumer Protection, by and through the Attorney General, to bring civil actions for violations of the Hawaii Genetic Information Privacy Act; and
- (3) 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. 2032, 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. 2032, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Nakashima, Tam, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Baker, Acasio, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 68-22 on H.B. No. 2098**

The purpose of this measure is to appropriate 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 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. 2098, 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. 2098, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Sayama, Belatti, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 69-22 on H.B. No. 1837**

The purpose of this measure is to establish a working group on affordable housing that meets annually to discuss opportunities to reduce zoning, regulatory, and statutory barriers to affordable housing development.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the working group established by this measure is a statewide working group on affordable housing;

- (2) Expanding the composition of the working group;
- (3) Adding an appropriation of \$100,000 to support the statewide working group, including one full-time equivalent position;
- (4) Changing its effective date to July 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. 1837, 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. 1837, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Tarnas, Johanson, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Moriwaki, Misalucha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 70-22 on H.B. No. 2020**

The purpose of this measure is to establish a lapse date for any unencumbered monies appropriated pursuant to Act 227, Session Laws of Hawaii 2021, which appropriated funds received by the State from the American Rescue Plan Act of 2021 to provide loans to nonprofit community development financial institutions and nonprofit housing development organizations for the development of affordable homeownership housing projects.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble to reflect its amended purpose;
- (2) Changing the lapse date for unencumbered monies appropriated pursuant to Act 227, Session Laws of Hawaii 2021, from June 30, 2024, to June 30, 2022; and
- (3) Changing its effective date to June 29, 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. 2020, 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. 2020, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Keith-Agaran, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 71-22 on H.B. No. 1752**

The purpose of this measure is to:

- (1) Establish the Housing Choice Voucher Landlord Incentive Program to provide incentives for landlords participating in the Tenant-Based Assistance Housing Choice Voucher Program under Section 8 of the United States Housing Act of 1937 and appropriate funds for the cost of the incentives;
- (2) Require the Hawaii Public Housing Authority to adopt or amend rules that require inspections of leased dwelling units under the Section 8 Housing Choice Voucher Program within fifteen days after receipt of an owner's or landlord's inspection request; and
- (3) Establish and appropriate funds for positions within the Hawaii Public Housing Authority for inspections and other aspects of the Section 8 Housing Choice Voucher Program.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$1,450,000 for the cost of incentives for landlords who participate in the Tenant-Based Assistance Housing Choice Voucher Program;
- (2) Requiring the Hawaii Public Housing Authority to adopt or amend rules no later than July 1, 2023;
- (3) Appropriating \$50,000 for two full-time equivalent permanent housing quality standards inspector II positions within the Hawaii Public Housing Authority to facilitate, coordinate, and monitor inspections of dwelling units that are the subject of Section 8 Housing Choice Voucher Program applications;
- (4) Deleting the unspecified appropriation for three full-time equivalent permanent public housing specialist II positions;
- (5) Changing its effective date to July 1, 2022; 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. 1752, 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. 1752, H.D. 3, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Kitagawa, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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



Senators Chang, Rhoads, Keith-Agaran, Moriwaki, and Fevella.  
Managers on the part of the Senate.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 72-22 on S.B. No. 2295**

The purpose of this measure is to:

- (1) Require the Department of Transportation to plan for sea level rise in all future or amended transportation projects; and
- (2) Require all Department of Transportation highway, harbor, and airport projects to conform to certain carbon concrete standards except in certain circumstances.

Your Committee on Conference finds that sea level rise is a problem that must be factored into future transportation projects. Your Committee on Conference further finds that these transportation projects must also conform with carbon concrete standards except in special circumstances.

Your Committee on Conference has amended this measure by changing its 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. 2295, 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. 2295, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Lowen, Ilagan, Clark, LoPresti, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, 1 (Lowen).

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

**Conf. Com. Rep. 73-22 on S.B. No. 879**

The purpose of this measure is to require the counties to assume responsibility to maintain infrastructure as part of any housing development for the Department of Hawaiian Home Lands within sixty days of the receipt of a maintenance request and under specified conditions.

Your Committee on Conference finds that the Department of Hawaiian Home Lands often has the responsibility to maintain infrastructure despite county requirements. Therefore, this measure requires counties to provide for the maintenance of Department of Hawaiian Home Lands infrastructure within sixty days of receipt of an application for maintenance request by the county.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 879, 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. 879, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Nakashima, Ilagan, Hashimoto, and McDermott.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

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

**Conf. Com. Rep. 74-22 on S.B. No. 2768**

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 an agreement for the administration of a green jobs youth corps to provide temporary work and training opportunities in the fields of natural resource management, agriculture, or other sustainability-related professions to young adults ages thirty-eight or younger;
- (2) Require the Department of Land and Natural Resources to partner with an organization that has received accreditation from the Corps Center of Excellence Accreditation Program or has at least ten years of experience providing similar programming statewide in the State, or both; and
- (3) Appropriate funds.

Your Committee on Conference finds that the Hawaii Youth Conservation Corps, a legacy of the Civilian Conservation Corps, has provided Hawaii's youth with opportunities in conservation. With the onset of the coronavirus disease 2019 pandemic, which devastated Hawaii's economy, partnerships with nonprofit organizations such as Kupu enabled individuals to work in their own communities while also giving back to Hawaii's economy and environment.

Your Committee has amended this measure by:

- (1) Clarifying that the appropriation shall be used for the Green Jobs Youth Corps to provide salaries for not more than one thousand participants;
- (2) Inserting an appropriation of \$5,000,000 for the administration of the Green Jobs Youth Corps as provided in this measure; and
- (3) Inserting an effective date of 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. 2768, 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. 2768, S.D. 2, H.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, Taniguchi, Gabbard, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 75-22 on S.B. No. 3330**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program; and
- (2) Appropriate funds.

Your Committee on Conference finds that high traffic volumes to popular areas within the Pupukea Marine Life Conservation District, such as Shark's Cove and Kapoo Tidepools, may threaten the health and abundance of marine life and limit the use and enjoyment of the area by residents. To protect the Pupukea Marine Life Conservation District, which currently does not have restrictions on use, a carrying capacity pilot program may provide critical information to reduce the impacts of humans on the health and abundance of marine life in sensitive areas within the Pupukea Marine Life Conservation District.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$300,000 for the Department of Land and Natural Resources to establish and conduct the Pupukea Marine Life Conservation District carrying capacity pilot program; 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. 3330, 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. 3330, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Onishi, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Shimabukuro, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 76-22 on S.B. No. 2056**

The purpose of this measure is to:

- (1) Require the Office of Planning and Sustainable Development, in cooperation with the Department of Agriculture and Land Use Commission, to conduct a study of the suitability of soil classification systems for the regulation of agricultural lands;
- (2) Require a report to the Legislature; and
- (3) Appropriate funds.

Your Committee on Conference finds that the State has not completed a comprehensive soil study or completed sufficient agricultural soil mapping in over fifty years. To meet the State's critical food sustainability goals and enhance local agricultural productivity, there is a need to utilize effective standards for identifying productive agricultural lands and protect long-term agricultural use under state and county land use regulatory systems.

Your Committee on Conference has amended this measure by reverting its contents to the S.D. 1 version and further amending it by:

- (1) Inserting an appropriation of \$325,000 for the Office of Planning and Sustainable Development to conduct the study as required by this Act;
- (2) Changing the effective date to July 1, 2022; 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. 2056, 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. 2056, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Hashem, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Gabbard, Shimabukuro, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 77-22 on S.B. No. 2670**

The purpose of this measure is to establish the Hawaii State Lesbian, Gay, Bisexual, Transgender, Queer, Plus Commission to provide for a statewide program, on a permanent and continuing basis, on the status of lesbian, gay, bisexual, transgender, queer, plus individuals in Hawaii.

Your Committee on Conference finds that individuals of the lesbian, gay, bisexual, transgender, queer, plus (LGBTQ+) community are at elevated risks of bullying, suicide, and ostracism. Your Committee on Conference further finds that the creation of a commission, as provided by this measure, will advance equity and is an important step to meet the needs of Hawaii's LGBTQ+ community.

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. 2670, 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. 2670, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Marten, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Rhoads, Moriwaki, Shimabukuro, Lee, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 78-22 on S.B. No. 206**

The purpose of this measure is to prohibit discrimination in rental transactions, including in advertisements for rental property, based on participation in a Section 8 Housing Choice Program or any permanent supportive housing program or requirements related to participation in these housing assistance programs.

Your Committee on Conference finds that housing assistance programs, like the federal Section 8 Housing Choice Voucher Program, are essential in helping to alleviate high rental costs for qualifying families. However, the Section 8 program relies on private landlords' willingness to rent to participating individuals. In an expensive and limited housing market such as Hawaii, low-income individuals, who are the most likely participants in housing assistance programs, experience extreme difficulty in finding affordable rentals and are often faced with discrimination based on their source of income.

Your Committee on Conference further finds that discrimination against recipients of housing assistance programs is prohibited in a number of states and the District of Columbia, as well as numerous cities and counties throughout the United States. Studies have shown that when there are laws to prevent discrimination against renters with housing vouchers, such renters are twelve percent more likely to find housing. Additionally, source of income laws do not alter or restrict standard industry practices to vet prospective renters. Your Committee on Conference further finds that the Hawaii Interagency Council on Homelessness prioritized addressing upfront barriers to accessing housing, such as source of income discrimination in rental housing, as a key priority for this legislative session. This measure is therefore necessary to prohibit discrimination based on source of income to allow supportive housing vouchers or other housing assistance programs to be implemented as intended and to further address the State's pressing housing crisis.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the provisions of this measure do not apply to landlords with ownership of less than four dwelling units in the State at the time of the alleged discriminatory rental transaction, unless the owner, whether individually or through a business entity, owns more than ten percent interest in more than four dwelling units in the State at the time of the alleged discriminatory rental transaction;
- (2) Inserting language to require the Hawaii Public Housing Authority and the Hawaii Civil Rights Commission to produce and make available informational materials for the purpose of providing notice of specific rights and obligations pursuant to the provisions of this measure and to widely publicize the prohibition against discrimination based on source of income;
- (3) Making it effective upon its approval, provided that the new statutory chapter established by this measure shall take effect on May 1, 2023; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 206, 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. 206, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Kitagawa, Ilagan, Hashimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, Chang, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 79-22 on S.B. No. 2125**

The purpose of this measure is to increase the maximum allowable fine for violation of liquor control laws by a licensee from \$2,000 to \$5,000.

Your Committee on Conference finds that the liquor commission or liquor control adjudication boards of each county are responsible for regulating the sale of liquor through the issuance of liquor licenses and the enforcement of applicable laws and rules. Existing law provides that the maximum allowable fine for violations of liquor control laws is \$2,000. Heftier fines can create a greater deterrent for licensees to violate liquor control laws. Accordingly, this measure increases the maximum fine to \$5,000, which will provide a broader range and grant greater flexibility to liquor commissions and liquor control adjudication boards in assessing fines and enforcing liquor laws and 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. 2125, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2125, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, Chang, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 80-22 on S.B. No. 1105**

The purpose of this measure is to:

- (1) Allow a person aggrieved by the fraud, misrepresentation, or deceit of a mortgage loan originator company licensee to receive restitution payment upon a final judgment of the court;
- (2) Repeal fees paid by mortgage loan originator companies and their branch office locations to the mortgage loan recovery fund and instead establish a flat \$200 mortgage loan recovery fund fee; and
- (3) Provide the Commissioner of Financial Institutions with the authority to consider and approve applications to recover from the fund.

Your Committee on Conference finds that a person who holds a court order against a mortgage loan originator or a mortgage loan originator company licensee for fraud, deceit, or misrepresentation is eligible to receive restitution from the Mortgage Loan Recovery Fund. However, existing law requires that person to also obtain a separate order from the court to receive the restitution payment from the Mortgage Loan Recovery Fund, which can be an onerous administrative process. Typically, it can take eight to twelve months before a court orders the Division of Financial Institutions of the Department of Commerce and Consumer Affairs to issue the restitution payment. This measure will allow aggrieved persons to receive restitution payments more efficiently, as the Division of Financial Institutions will be able to issue those payments pursuant to final, rather than separate, court orders. Additionally, this measure repeals fees paid by mortgage loan originator companies and their branches to adjust the funding level of the Mortgage Loan Recovery Fund, as there are currently sufficient funds to make restitution payments to aggrieved persons by assessing individual mortgage loan originators, as required by federal law.

Your Committee on Conference has amended this measure by making it effective 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. 1105, 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. 1105, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Shimabukuro, Kim, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 81-22 on S.B. No. 3179**

The purpose of this measure is to:

- (1) Require the Department of Land and Natural Resources' Division of Forestry and Wildlife to adopt rules and issue funds to licensed hunters at a per unit rate for feral axis deer herd management; and
- (2) Appropriate funds to and establish three full-time equivalent technician positions for the Department of Land and Natural Resources to manage axis deer populations in Maui County.

Your Committee on Conference finds that the overpopulation of axis deer poses a significant threat to the ecological security and the health of local communities on several islands, including Maui County. Axis deer overpopulation and drought conditions on Maui, Molokai, and Lanai have led to large numbers of widespread axis deer, which in turn has created a nuisance and threat to the local community.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation to the Department of Land and Natural Resources for axis deer management;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making it effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3179, 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. 3179, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Hashem, Nishimoto, Branco, and McDermott.

Managers on the part of the House.

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

Senators Inouye, Keith-Agaran, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 82-22 on H.B. No. 1983**

The purpose of this measure is to establish, and appropriate funds for, the State Film Liaison to plan, develop, and execute a statewide film industry development strategy for purposes of establishing a collaborative film industry development program.

Your Committee on Conference has amended this measure by:

- (1) Changing the name of the State Film Liaison to the State Media Industry Development Liaison and making associated conforming amendments;
- (2) Inserting the provision relating to retaining the civil service status of existing positions within the Film Industry Branch of the Creative Industries Division of the Department of Business, Economic Development, and Tourism in Session Law, rather than codifying it in the Hawaii Revised Statutes;
- (3) Changing the appropriation for the State Media Industry Development Liaison from \$65,000 to \$60,000;
- (4) Inserting an appropriation of \$33,600 to establish and fill one full-time equivalent Administrative Assistant position within the Creative Industries Division of the Department of Business, Economic Development, and Tourism;

- (5) Changing the effective date to July 1, 2022; 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. 1983, 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. 1983, 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 Wakai, Shimabukuro, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 83-22 on H.B. No. 1586**

The purpose of this measure is to:

- (1) Require federal disaster relief reimbursement monies, except federal disaster relief reimbursement monies for the Department of Education, to be deposited into a trust account of the Hawaii Emergency Management Agency and reimbursed to the originating fund of the expending agency, and require monies to be returned to the general fund upon lapse of the original appropriation;
- (2) Require the Administrator of the Hawaii Emergency Management Agency to submit an annual report to the Legislature on the status of federal reimbursement monies for disaster response and each agency's disaster response spending; and
- (3) Appropriate monies to the Department of Defense for disaster response efforts.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that state departments, in addition to state agencies, shall submit a report of all funds expended for disaster response efforts;
- (2) Deleting language that would have required the Administrator to include information about the counties in their annual report to the Legislature regarding reimbursement monies;
- (3) Deleting language that would have appropriated funds for the Department of Defense for disaster response efforts;
- (4) Changing the effective date to July 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. 1586, 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. 1586, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Woodson, Eli, Costales, Mizuno, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 84-22 on H.B. No. 1587**

The purpose of this measure is to establish the intrastate mutual aid system to allow counties to share resources in times of emergency or in preparation for emergencies.

Your Committee has amended this measure by changing the effective date to upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1587, 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. 1587, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Eli, Costales, and Ward.

Managers on the part of the House.

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

Senators DeCoite, Moriwaki, Misalucha, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 85-22 on H.B. No. 2120**

The purpose of this measure is to:

- (1) Clarify existing practices, policies, and procedures of the State Emergency Management Program and update it with prevailing best practices for emergency management;
- (2) Include environmental impacts within the scope of emergency matters; and
- (3) Require county emergency management agencies to identify and operate facilities that would be suitable for sheltering.

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. 2120, 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. 2120, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Eli, Perruso, Costales, Ichiyama, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Gabbard, Kanuha, Baker, and Fevella.

Managers on the part of the Senate.

Ayes, 3. Noes, none. Excused, 2 (Gabbard, Baker).

#### **Conf. Com. Rep. 86-22 on H.B. No. 2329**

The purpose of this measure is to require the Department of Land and Natural Resources, in consultation with the Hawaii Tourism Authority and State Foundation on Culture and the Arts, to identify and place historical markers throughout the State to indicate sites that were significant in the life of President Barack Obama.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$20,000 for the placement of markers in the State to indicate sites that were significant in the life of President Barack Obama; and
- (2) Changing its 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 H.B. No. 2329, 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. 2329, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Tam, and Ward.

Managers on the part of the House.

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

Senators Taniguchi, Misalucha, Chang, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 87-22 on H.B. No. 2475**

The purpose of this measure is to establish July 31 of each year as La Hoihoi Ea.

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. 2475, 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. 2475, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Nakashima, Tam, Har, Kapela, and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Har, Ward).

Senators Shimabukuro, Taniguchi, Kanuha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 88-22 on H.B. No. 2491**

The purpose of this measure is to require, beginning on January 1, 2023, all letterhead of the State and counties that include Hawaiian names and words to use and spell the names and words consistently with certain references.

Your Committee on Conference has amended this measure by:

- (1) Requiring all letterhead of the State and counties containing Hawaiian words or names to use and spell those Hawaiian words or names consistently with certain references by July 1, 2023, rather than January 1, 2023;
- (2) Deleting exemptions for letterhead specifically designed for use by native speakers of Hawaiian and for documents submitted to state or county agencies or officials by members of the general public;
- (3) Requiring the Governor, Lieutenant Governor, state legislators, and heads of principal departments to prominently display a Hawaiian translation of the name of their respective office or department at least once on the main page of their official website and in the letterhead of their stationary;
- (4) Changing its effective date to July 1, 2022; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Conference is providing the following list of Hawaiian translations of names of offices and departments to assist the appropriate state offices and departments in complying with this measure.

#### **Olelo Hawaii Names**

Executive Branch - Mahele Mana Hooko

Governor of Hawaii - Kiaaina o Hawaii  
 Lieutenant Governor of Hawaii - Hope Kiaaina o Hawaii

#### **Principal Departments**

Department of Accounting and General Services - Oihana Malama Moohelu Kala a Hana Laua  
 Department of Agriculture - Oihana Mahi Ai  
 Department of the Attorney General - Oihana Loio Kuhina  
 Department of Budget and Finance - Oihana Moohelu Kala a me ka Imi Kala  
 Department of Business, Economic Development, and Tourism - Oihana Hoomohala Waiwai a me ka Malihini Huakai  
 Department of Commerce and Consumer Affairs - Oihana Kalepa  
 State of Hawaii Department of Defense - Oihana Pale Kaua o ka Mokuaina o Hawaii  
 Department of Education - Oihana Hoonauauao  
 Hawaii State Public Library System - Oihana Hale Waihona Puke Aupuni o ka Mokuaina o Hawaii  
 Department of Hawaiian Homelands - Oihana Aina Hoopulapula Hawaii  
 Department of Health - Oihana Ola  
 Department of Human Resources Development – Oihana Hoomohala Limahana  
 Department of Human Services – Oihana Lawelawe Kanaka  
 Department of Labor and Industrial Relations – Oihana Limahana a Pilina Hana  
 Department of Public Safety - Oihana Palekana Lehulehu  
 Hawaii State Department of Taxation - Oihana Ohi Auhau o ka Mokuaina o Hawaii  
 Department of Transportation - Oihana Alanui  
 University of Hawaii - Ke Kula Nui o Hawaii  
 Department of Land and Natural Resources - Oihana Kumuwaiwai Aina

#### **Legislative branch - Mahele Ahaolelo**

Hawaii State Legislature - Ka Ahaolelo o ka Mokuaina o Hawaii  
 Hawaii State House of Representatives - Aha Lunamakaainana o ka Mokuaina o Hawaii  
 Hawaii State Senate - Aha Kenekoa o ka Mokuaina o Hawaii

As affirmed by the record of votes of the managers 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. 2491, 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. 2491, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Gates, Nakashima, Tam, Har, Kapela, and Ward.

Managers on the part of the House.

Ayes, 4. Noes, none. Excused, 2 (Har, Ward).

Senators Shimabukuro, Kim, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 89-22 on H.B. No. 871**

The purpose of this measure is to establish an agricultural enterprise program within the Department of Agriculture to promote and support diversified agriculture and increase the State's agricultural self-sufficiency.

Specifically, this measure:

- (1) Authorizes the Department of Agriculture or its lessees to plan, design, construct, operate, manage, maintain, repair, demolish, and remove infrastructure or improvements on any lands under the Department of Agriculture's jurisdiction where the activity is necessary to support and promote agriculture;
- (2) Requires the Department of Agriculture to administer an agricultural enterprise program to manage, under rules adopted by the Board of Agriculture, qualifying agricultural enterprise lands and agricultural enterprises transferred from the Department of Land and Natural Resources; and
- (3) Establishes the Agricultural Enterprise Special Fund for planning, designing, constructing, operating, maintaining, managing, repairing, demolishing, and removing infrastructure or improvements on agricultural enterprise lands and for agricultural enterprises.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions establishing the Agricultural Enterprise Special Fund;
- (2) Changing its effective date to July 1, 2022; 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. 871, 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. 871, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Johanson, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Kanuha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 90-22 on H.B. No. 2062**

The purpose of this measure is to:

- (1) Establish the Agricultural Emergency Loan Revolving Fund, to be administered by the Department of Agriculture, to fund class D emergency loans made pursuant to section 155-9(e), Hawaii Revised Statutes;
- (2) Allow for payments received on account of principal from loans made by the Agricultural Emergency Loan Revolving Fund to be credited to the Agricultural Emergency Loan Revolving Fund; and
- (3) Appropriate funds into and out of the Agricultural Emergency Loan Revolving Fund.

Your Committee on Conference has amended this measure by:

- (1) Deleting provisions establishing the Agricultural Emergency Loan Revolving Fund;
- (2) Appropriating \$1,500,000 to be deposited into and out of the existing Agricultural Loan Revolving Fund to fund class D emergency loans made pursuant to section 155-9(e), Hawaii Revised Statutes;
- (3) Authorizing the Department of Agriculture to approve emergency loans of up to \$1,500,000 in excess of the \$5,000,000 annual ceiling for the Agricultural Loan Revolving Fund during a state of emergency declared by the Governor pursuant to chapter 127A, Hawaii Revised Statutes, the Emergency Management Law;
- (4) Changing its effective date to July 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. 2062, 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. 2062, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, Marten, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Taniguchi, Nishihara, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 91-22 on H.B. No. 1692**

The purpose of this measure is to:

- (1) Increase the fines imposed for mobile electronic device violations; and
- (2) Require the fines to be deposited into the Safe Routes to School Program Special Fund.

Your Committee on Conference has amended this measure by requiring the fines collected for mobile electronic device violations to be paid to the Director of Finance instead of deposited into the Safe Routes to School Program Special Fund.

As affirmed by the record of votes of the managers 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. 1692, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1692, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Holt, Morikawa, and Ward.

Managers on the part of the House.

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

Senators Lee, Rhoads, Inouye, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 92-22 on H.B. No. 2421**

The purpose of this measure is to:

- (1) Establish a three-year Women's Court Pilot Program in the First Circuit of the Judiciary to implement trauma-informed and evidence-based practices, employ gender-responsive programming, collaborate with stakeholders, and provide services to women in the court system;
- (2) Appropriate funds for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions for the Women's Court Pilot Program; and
- (3) Require the Judiciary to submit annual reports on the Women's Court Pilot Program throughout its duration.

Your Committee on Conference has amended this measure by:

- (1) Changing the appropriation amounts from unspecified amounts to \$695,236 for equipment; mental health, substance abuse treatment, and other services; and the establishment of seven temporary positions as follows:
  - (A) One full-time equivalent (1.0 FTE) social worker V position (\$62,136);
  - (B) Four full-time equivalent (4.0 FTE) social worker IV positions (\$52,200 each);
  - (C) One full-time equivalent (1.0 FTE) circuit court clerk II position (\$46,200); and
  - (D) One full-time equivalent (1.0 FTE) judicial clerk position (\$41,100); and
- (2) 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 H.B. No. 2421, 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. 2421, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Holt, Ichiyama, Matayoshi, and Ward.

Managers on the part of the House.

Ayes, 5. 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. 93-22 on S.B. No. 2623**

The purpose of this measure is to exclude from any waiting list maintained by the Department of Hawaiian Home Lands any lessee or successor who sells or transfers their lease on a tract of Hawaiian home lands for personal gain.

Your Committee on Conference finds that certain native Hawaiians have acquired a lease pursuant to the Hawaiian Homes Commission Act and sold or transferred their interest in the lease before placing their name back on the waiting list. This practice contributes to other eligible native Hawaiians not receiving land in a timely fashion. The purpose of this measure is to prohibit those who sell or transfer their interest in a Hawaiian home lands tract for personal gain from rejoining the wait list.

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. 2623, 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. 2623, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Keohokalole, DeCoite, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 94-22 on S.B. No. 3054**

The purpose of this measure is to:

- (1) Expand funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund (Special Fund); and
- (2) Appropriate funds for the purposes of the Special Fund.

Your Committee on Conference finds that expanding funding sources and authorized uses of the Hawaii Film and Creative Industries Development Special Fund will further support the State's growing local intellectual property export industry.

Your Committee on Conference has amended this measure by:

- (1) Delaying the deposit of all revenues, fees, and charges from the processing of the motion picture, digital media, and film production income tax credit pursuant to section 235-17, Hawaii Revised Statutes, into the Special Fund until January 2, 2023;
- (2) Including existing revenues, fees, and income received by the Department of Business, Economic Development, and Tourism from its management of public facilities that support media and entertainment workforce and business development, with the exception of the Hawaii Film Studio, to be deposited into the Special Fund;
- (3) Requiring the program funded by the Special Fund to also provide seed capital for electronic sports;
- (4) Making it effective on July 1, 2022; and
- (5) 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. 3054, 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. 3054, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, B. Kobayashi, and Okimoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 1 (B. Kobayashi).

Senators Wakai, Shimabukuro, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 95-22 on S.B. No. 3087**

The purpose of this measure is to adopt the Emergency Management Assistance Compact in a new chapter of the Hawaii Revised Statutes.

Your Committee on Conference finds that moving the Emergency Management Assistance Compact, currently codified under chapter 128F, Hawaii Revised Statutes, into the emergency management series of the Hawaii Revised Statutes will provide concise, logical organization to the emergency management laws of the State. This measure will align the Hawaii Emergency Management Agency with the best emergency management practices across the country by

repealing chapter 128F, Hawaii Revised Statutes, and reincorporating the Emergency Management Assistance Compact in a new, appropriately designated chapter in the 127A series of the Hawaii Revised Statutes chapters.

Your Committee on Conference has amended this measure by:

- (1) Deleting the preamble;
- (2) Changing the effective date to 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. 3087, 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. 3087, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Eli, Ohno, Nakashima, Perruso, Ichiyama, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 96-22 on S.B. No. 2008**

The purpose of this measure is to:

- (1) Clarify that the State and counties may only be held jointly and severally liable for acts or omissions relating to a condemned highway or trail that occurred after condemnation; and
- (2) Allow the State and counties to utilize flexibility in highway design regarding any condemned highway.

Your Committee on Conference finds that although the Legislature sought to address the problems caused by private roads by passing Act 194, Session Laws of Hawaii 2016, further legislation is now needed to reduce impediments to state and county condemnation of private lanes. This measure will facilitate the condemnation, maintenance, and improvement of private highways and trails that are in disrepair by providing the State and counties with flexibility in the design of condemned private highways and trails and relieving the State and counties of liability for condemned highways and trails.

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. 2008, 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. 2008, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Matayoshi, Ilagan, Clark, and Matsumoto.

Managers on the part of the House.

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

Senators Nishihara, Lee, Rhoads, Riviere, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 97-22 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 on Conference finds that hazard mitigation projects necessary to mitigate situations that are deemed hazardous and require immediate action will not be possible without proper funding. This measure will provide a funding source to ensure the continuation of hazardous mitigation projects and expand the program by establishing the Hazard Mitigation Special Fund.

Your Committee on Conference has amended this measure by:

- (1) Requiring all contributions from public or private partners and all interest earned on or accrued to moneys deposited in the special fund be deposited in the Hazard Mitigation Special Fund;
- (2) Inserting an appropriation amount of \$500,000 for the Hazard Mitigation Special Fund;
- (3) Changing the effective date to July 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. 1107, 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. 1107, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Matayoshi, Eli, LoPresti, and Ward.

Managers on the part of the House.

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

Senators Nishihara, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 98-22 on S.B. No. 2588**

The purpose of this measure is to appropriate funds to the Hawaii Public Housing Authority for the rehabilitation, remodeling, renovation, and repair of housing units.

Your Committee on Conference finds that many units administered by the Hawaii Public Housing Authority need significant repairs and maintenance. This measure supports the Hawaii Public Housing Authority's efforts to renovate its existing affordable housing inventory by appropriating funds to the Hawaii Public Housing Authority for this purpose.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$5,000,000; and
- (2) Inserting an effective date of 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. 2588, 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. 2588, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Misalucha, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 99-22 on S.B. No. 2479**

The purpose of this measure is to require each public housing project, dwelling unit, and state low-income housing project that is built, renovated, or reconstructed after January 1, 2023, to include all broadband infrastructure necessary for tenants to have access to broadband service.

Your Committee on Conference finds that Internet access is necessary for residents of Hawaii public housing units to utilize certain essential services, such as health care and education. This measure requires that public housing built, renovated, or reconstructed after the beginning of 2023 to include broadband infrastructure.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the extent of broadband infrastructure requirement; 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. 2479, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2479, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Kitagawa, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Moriwaki, Misalucha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 100-22 on S.B. No. 2251**

The purpose of this measure is to:

- (1) Allow the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing projects; and
- (2) Prohibit the development or construction of housing projects on ceded land that is vacant on or after January 1, 2022.

Your Committee on Conference finds that mixed-income and mixed-financed housing can significantly improve the State's ability to provide affordable housing by allowing flexibility in the development of new housing projects. This measure allows the Hawaii Public Housing Authority to develop mixed-income and mixed-financed housing, provided it does not develop or construct housing projects on ceded land that is vacant on or after January 1, 2022.

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. 2251, 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. 2251, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Nakashima, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Misalucha, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 101-22 on S.B. No. 2898**

The purpose of this measure is to:

- (1) Establish the Transit-Oriented Development Infrastructure Improvement District and Transit-Oriented Development Infrastructure District Board under the Hawaii Community Development Authority;
- (2) Require the Transit-Oriented Development Infrastructure Improvement District Board to develop a program to identify necessary infrastructure improvements within the district; and
- (3) Establish the Transit-Oriented Development Infrastructure Improvement District Special Fund.

Your Committee on Conference finds that transit-oriented development plays an important role in addressing the State's housing shortage and meeting its sustainability goals. However, transit-oriented development requires adequate infrastructure planning and development. Accordingly, this measure establishes the Transit-Oriented Development Infrastructure Improvement District and Transit-Oriented Development Infrastructure Improvement District Board to oversee the long-range planning and implementation of improved community development.

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. 2898, 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. 2898, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Aquino, Ilagan, Hashimoto, and Okimoto.

Managers on the part of the House.

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

Senators Chang, Inouye, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 102-22 on S.B. No. 3048**

The purpose of this measure is to:

- (1) Authorize the Director of Finance to transfer excess funds from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund;
- (2) Provide that the Rental Housing Revolving Fund may be used for the Hawaii Housing Finance and Development Corporation's housing finance programs;
- (3) Establish two full-time equivalent (2.0 FTE) housing finance specialist positions; and
- (4) Appropriate funds to the Hawaii Housing Finance and Development Corporation for computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties.

Your Committee on Conference finds that the Hawaii Housing Finance and Development Corporation has funds composed of tax-exempt general obligation bond proceeds and accrued interest within the Rental Housing Revolving Fund that are restricted and cannot be used for the purposes of that fund. However, those funds can be used for public infrastructure development, which is one of the purposes for which funds within the Dwelling Unit Revolving Fund can be used. Accordingly, this measure transfers tax-exempt general obligation bond funds and accrued interest from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the Director of Finance is authorized to transfer tax-exempt general obligation bond proceeds from the Rental Housing Revolving Fund to the Dwelling Unit Revolving Fund in an amount of \$45,000,000;
- (2) Inserting appropriations of \$300,000,000 into and out of the Rental Housing Revolving Fund; provided that \$150,000,000 is used for mixed-income housing projects;
- (3) Inserting an appropriation amount of \$554,000 for the Hawaii Housing Finance and Development Corporation to procure computer software and hardware; information technology improvements; videoconferencing improvements; and scanning and digitization equipment, services, and warranties;
- (4) Adding a severability clause; 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. 3048, 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. 3048, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Yamashita, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Chang, Kanuha, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 103-22 on S.B. No. 2390**

The purpose of this measure is to:

- (1) Increase the number of associate judges on the Intermediate Court of Appeals from five to six; and
- (2) Appropriate funds.

Your Committee on Conference finds that the Intermediate Court of Appeals expects a significant increase in its caseloads as the trial courts dispose of their backlogs of civil, criminal, and family cases. Your Committee on Conference further finds that adding another Intermediate Court of Appeals associate judge would enable the Judiciary to expeditiously resolve a greater number of appeals and address the foreseeable backlog of cases from the trial courts.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$478,326, to be allocated as follows:
  - (A) \$214,788 for the establishment of one permanent full-time equivalent (1.0 FTE) intermediate appellate court associate judge position;
  - (B) \$86,688 for the establishment of one permanent full-time equivalent (1.0 FTE) judicial assistant position;
  - (C) \$134,400 for the establishment of two permanent full-time equivalent (2.0 FTE) law clerk positions; and
  - (D) \$42,450 for equipment, books, and furniture for the new associate judge's chambers;
- (2) Inserting an effective date of July 1, 2022; 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. 2390, 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. 2390, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Shimabukuro, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 104-22 on S.B. No. 2641**

The purpose of this measure is to appropriate funds for residential programs that allow minor children to remain with their mothers while participating in a residential program, including community-based furlough programs, residential drug treatment programs, therapeutic community programs, and mental health programs, to reduce the risk of trauma and multigenerational incarceration.

Your Committee on Conference finds that the incarceration of mothers that results in separation from their children has devastating negative developmental and emotional impacts on children that increase the risk of multigenerational incarceration. This measure will reduce the risk of multigenerational incarceration by funding programs that allow minors to remain with their mothers during the mothers' program participation.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000 for residential programs that allow minor children to remain with their mothers while participating in a residential program; and
- (2) Inserting an effective date of 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. 2641, 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. 2641, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Ichiyama, B. Kobayashi, Ganaden, Morikawa, and Matsumoto.

Managers on the part of the House.

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

Senators Rhoads, Shimabukuro, Acasio, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 105-22 on S.B. No. 2663**

The purpose of this measure is to change the filing fee schedule for paternity actions by establishing an initial filing fee of \$100 and eliminating fees to file motions.

Your Committee on Conference finds that the different filing fee schedules for divorce and paternity actions creates a burdensome and confusing situation for low-income litigants. This measure will establish clear filing fees for paternity actions which will reduce the burden, confusion, and uncertainty for litigants under the existing filing fee schedule.

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. 2663, 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. 2663, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Shimabukuro, Kim, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 106-22 on S.B. No. 2475**

The purpose of this measure is to clarify that amounts received or accrued for stevedoring and related services, wharfage, and demurrage fees are exempt under the general excise tax law.

Your Committee on Conference finds that the shipping industry is critical to the well-being of the people of Hawaii because nearly all goods are imported. This measure exempts certain shipping-related fees and services under the general excise tax law in order to help reduce the inflated cost of imported goods.

Your Committee on Conference has amended this measure by removing related services in reference to stevedoring services.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2475, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2475, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Yamashita, and McDermott.

Managers on the part of the House.

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

Senators Lee, Kanuha, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 107-22 on S.B. No. 2347**

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; and
- (2) Allow the presiding officers of the Legislature to request a written opinion of the Supreme Court regarding the legality of a proposed constitutional amendment and ratification question.

Your Committee on Conference finds that constitutional ratification questions should be posed in simple, concise, and direct language. Your Committee on Conference 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 requested by the presiding officers of the Legislature. This measure provides a mechanism to ensure that the legality of constitutional ratification questions are addressed by the highest court in the State.

Your Committee on Conference has amended this measure by:

- (1) Requiring the Hawaii Supreme Court to provide a written opinion in response to written request from the President of the Senate or Speaker of the House of Representatives within fifteen days instead of ten days;
- (2) Clarifying provisions requiring the Hawaii Supreme Court to include detailed and specific explanations in a written opinion provided in response to a written request to be consistent with statutory language providing for the content of the written opinion; 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. 2347, 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. 2347, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Matayoshi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, Gabbard, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 108-22 on S.B. No. 2162**

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 on Conference finds that the existing plurality voting method in special elections allows a candidate to win an election without a majority of votes when there are more than two candidates for the office. Your Committee on Conference further finds that ranked choice voting provides voters with the ability to rank candidates in order of preference and has been used effectively in other jurisdictions in the nation and the world.

Your Committee on Conference has amended this measure by inserting an effective date of January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2162, 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. 2162, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, and Matayoshi.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 109-22 on S.B. No. 2136**

The purpose of this measure is to prohibit juror exclusion based on gender identity or expression.

Your Committee on Conference finds that gender identity and expression are not expressly protected from discrimination in jury service under existing law. This measure disallows arbitrary discrimination for service on a jury so that all individuals may participate in performing their civic duties.

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. 2136, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2136, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Matayoshi, Tam, 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. 110-22 on S.B. No. 2298**

The purpose of this measure is to increase the penalty for employers who fail to pay their employees wages in accordance with state wage and hour laws and other compensation laws, by making violators guilty of a class C felony and subject to a fine of not less than \$500 per offense.

Your Committee on Conference finds that state labor laws should vigorously protect workers from employers who fail to provide employees with wages, benefits, or other forms of compensation that are rightfully owed to them. This measure will provide a greater deterrence to employers who violate wage and hour laws and other compensation laws.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2298, 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. 2298, S.D. 2, 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, Rhoads, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 111-22 on S.B. No. 2707**

The purpose of this measure is to:

- (1) Require the employer to initiate negotiations on repricing of classes within a bargaining unit within thirty days of the employer's receipt of the exclusive representative's written request to negotiate; and
- (2) Establish that the employer's failure to initiate the negotiation within this time frame, or the parties' failure to reach an agreement within ninety days of the exclusive representative's written request to negotiate or by January 31 of a year in which the collective bargaining agreement is due to expire, whichever is earlier, constitutes an impasse to which the impasse procedures in section 89-11, Hawaii Revised Statutes, shall apply.

Your Committee on Conference finds that repricing means the reassignment of classes within a bargaining unit from one pay range to another in the same salary schedule based on appropriate factors that occurs when the pay range of a class is not in proper alignment with other classes in the same bargaining unit. Your Committee on Conference further finds that under the existing process, it is extremely difficult for employees to seek the repricing of their classes. By providing mandatory timeframes within which repricing negotiations must be initiated and an agreement reached, the failure of which would cause impasse procedures to apply, this measure will ensure that public employees are being paid competitive and fair wages, which will allow the employers to better recruit and retain qualified workers.

Your Committee on Conference has amended this measure by inserting an effective date of 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. 2707, 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. 2707, 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, Rhoads, Chang, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 112-22 on S.B. No. 3126**

The purpose of this measure is to:

- (1) Require the Director of Labor and Industrial Relations to appoint a Chief Boiler and Pressure Vessel Inspector;

- (2) Allow the Director of Labor and Industrial Relations to authorize qualified boiler inspectors who are in the exclusive employment of an owner-user inspection organization to perform safety inspections of pressure retaining items; and
- (3) Extend the time by which the Director of Labor and Industrial Relations is required to reimburse the general fund for the initial appropriation made to the Boiler and Elevator Revolving Fund.

Your Committee on Conference finds that existing rules adopted by the Department of Labor and Industrial Relations allow owner-user inspection organizations to perform safety inspections, provided that the inspections are performed by qualified boiler inspectors. The current practice allows inspections of pressure retaining items in the State to be performed in a timely manner while ensuring the safe operation and use thereof. This measure codifies the current practice engaged in by the Department of Labor and Industrial Relations and owner-user inspection organizations in Hawaii.

Your Committee on Conference also finds that this measure provides the Director of Labor and Industrial Relations additional time to reimburse the general fund from the Boiler and Elevator Revolving Fund by three years, thereby allowing more flexibility to fund boiler and elevator safety operations while maintaining a feasible repayment schedule.

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. 3126, 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. 3126, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Johanson, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 113-22 on S.B. No. 3142**

The purpose of this measure is to add reserve public safety law enforcement officers to the list of volunteer occupations covered by the workers' compensation law under certain conditions.

Your Committee on Conference finds that the Department of Public Safety is prepared to begin a volunteer enforcement program that will recruit the Department's recent retirees and members of the public as volunteer reserve public safety law enforcement officers to assist with its law enforcement responsibilities. Your Committee on Conference further finds that the volunteer reserve public safety law enforcement officers will be trained to the same standard as, and will be exposed to the same extent of risk, danger, and injuries as the Department's full-time law enforcement officers. This measure will allow injuries incurred by volunteer reserve public safety law enforcement officers under specified conditions to be compensated under the State's workers' compensation law.

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3142, 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. 3142, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Johanson, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, DeCoite, Shimabukuro, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 114-22 on S.B. No. 3121**

The purpose of this measure is to:

- (1) Establish an Accessible Parking Special Account within the Disability and Communication Access Board Special Fund;
- (2) Increase the state annual vehicle registration fee by \$1 and require that \$1 from each annual vehicle registration fee be deposited into the Accessible Parking Special Account; and
- (3) Beginning July 1, 2023, require all costs associated with the Statewide Parking for Persons with Disabilities program to be paid using funds appropriated from the Accessible Parking Special Account.

Your Committee on Conference finds that the Parking for Persons with Disability Program, which is currently funded entirely by general funds, was severely impacted by the significant decline in the State's general revenues due to the disruptions caused by the coronavirus disease 2019 pandemic. This measure will allow the Parking for Persons with Disability Program to become self-sufficient and ensure that it is unaffected by future economic conditions.

Your Committee on Conference has amended this measure by inserting an effective date of January 1, 2023.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3121, 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. 3121, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Ilagan, Clark, Takumi, and Matsumoto.



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

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

**Conf. Com. Rep. 115-22 on S.B. No. 3252**

The purpose of this measure is to:

- (1) Impose a cap on the costs charged for the duplication of government records provided to requestors in electronic format;
- (2) Impose a cap on costs charged for searching for, reviewing, and segregating digital records;
- (3) Provide for a waiver of fees when the public interest is served by a digital records disclosure; and
- (4) Appropriate funds for positions.

Your Committee on Conference finds that public records laws provide a critical mechanism to maintain government accountability and transparency and support citizen involvement in government decision-making. Your Committee on Conference further finds that excessive fees for record requests are an obstacle to any general policy of open government and discourage the public from learning more about government operations.

Your Committee on Conference has amended this measure by:

- (1) Changing references of "digital records" to "records";
- (2) Inserting an appropriation amount of \$185,000;
- (3) Inserting an effective date of July 1, 2023, for sections 2 and 3 of this measure, and July 1, 2022, for this measure generally; 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. 3252, 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. 3252, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Wildberger, Costales, and Ward.  
Managers on the part of the House.  
Ayes, 4; Ayes with Reservations (Ward). Noes, none. Excused, none.

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

**Conf. Com. Rep. 116-22 on H.B. No. 2512**

The purpose of this measure is to:

- (1) Allow persons receiving accommodations or services from an Ohana Zone to request a ninety-day extension of the accommodations or services;
- (2) Extend the Ohana Zones Pilot Program sunset date to June 30, 2028; and
- (3) Establish an Ohana Zones Program within the Hawaii Public Housing Authority as part of its rental assistance programs upon expiration of the Ohana Zones Pilot Program.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which:
  - (A) Expands regulatory exemptions for the Ohana Zones Pilot Program contracts;
  - (B) Amends the sunset date to June 30, 2026; and
  - (C) Appropriates \$15,000,000 for the pilot program; and
- (2) Further amending this measure by:
  - (A) Inserting a preamble;
  - (B) Allowing persons receiving accommodations or services from an Ohana Zone site to request a ninety-day extension of the accommodations or services;
  - (C) Reducing the scope of the regulatory exemptions;
  - (D) Requiring all contracts entered into or structures constructed pursuant to the Ohana Zones Pilot Program to comply with county, state, and federal floodplain management development standards, or statutes, codes, ordinances, rules, or regulations with which compliance is required under the National Flood Insurance Program;
  - (E) Changing the effective date to July 1, 2022; and
  - (F) 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. 2512, 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. 2512, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Nakamura, Tam, Hashimoto, and Ward.  
Managers on the part of the House.

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

Senators San Buenaventura, Chang, Moriwaki, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 117-22 on H.B. No. 2338**

The purpose of this measure is to:

- (1) Appropriate funds from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2022-2023; and
- (2) Authorize the Department of Health to expend those funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$400,000 out of the State Highway Fund and into the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2022-2023;
- (2) Changing the effective date to July 1, 2022; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2338, 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. 2338, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Aquino, Tam, Takumi, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Lee, Wakai, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 118-22 on H.B. No. 2339**

The purpose of this measure is to:

- (1) Make an emergency appropriation from the State Highway Fund to the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022; and
- (2) Authorize the Department of Health to expend those funds for the establishment of the State Drug and Alcohol Toxicology Testing Laboratory.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$2,000,000 out of the State Highway Fund and into the Department of Health's State Drug and Alcohol Toxicology Testing Laboratory Special Fund for fiscal year 2021-2022;
- (2) Changing the effective date to upon approval; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2339, 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. 2339, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Aquino, Tam, Takumi, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Lee, Wakai, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 119-22 on H.B. No. 1798**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist The Queen's Health Systems with the construction of, improvement to, and equipping of its health care facilities.

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 \$750,000,000; and
- (2) 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 H.B. No. 1798, 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. 1798, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Har, and Ward.

Managers on the part of the House.

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

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

**Conf. Com. Rep. 120-22 on H.B. No. 1932**

The purpose of this measure is to:

- (1) Require the Child Welfare Services Branch of the Department of Human Services to develop a modern case management software solution that is compatible with existing child welfare technology;
- (2) Submit progress reports to the Legislature; and
- (3) Appropriate funds for the development of the modern case management software solution.

Your Committee on Conference has amended this measure by:

- (1) Making the online resource portal created by this measure available to minors over the age of twelve;
- (2) Inserting an appropriation amount of \$80,000 for the development of a case management software solution by the Child Welfare Services Branch of the Department of Human Services;
- (3) Changing the effective date to July 1, 2022; 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. 1932, 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. 1932, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 121-22 on H.B. No. 1982**

The purpose of this measure is to:

- (1) Establish a general excise tax withholding requirement for persons making payment to a loan-out company and claiming the motion picture, digital media, and film production tax credit (film production tax credit) to withhold and remit a portion of all payments made to the loan-out company;
- (2) Reduce the minimum amount of qualified production costs necessary to claim the film production tax credit;
- (3) Require a production to submit an application processing fee to the Department of Taxation in order to qualify for the film production tax credit;
- (4) Repeal the requirement for qualified productions to submit a verification review by a qualified Certified Public Accountant when applying for the film production tax credit;
- (5) Require the Department of Business, Economic Development, and Tourism (DBEDT) to issue a letter to a taxpayer claiming the film production tax credit specifying the qualified production costs and tax credit amount qualified for no later than ten months after the receipt of the taxpayer's statement;
- (6) Extend the period during which excess film production tax credits may be claimed from December 31, 2025, to December 31, 2032;
- (7) Require qualified productions that make payments to a loan-out company and claim the film production tax credit to withhold an amount equal to one-half of one percent of qualified production costs to the credit of the general excise tax account of the loan-out company;
- (8) Amend the allowable uses of the Tax Administration Special Fund; and
- (9) Authorize the Department of Taxation to establish four full-time equivalent Tax Auditor positions.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the amount to be withheld and remitted is equal to the highest rate of general excise tax, plus any applicable county surcharge for all payments made to a loan-out company for services performed in the State;
- (2) Clarifying when every person subject to a general excise tax withholding requirement established by this measure is required to make and file a return;
- (3) Increasing the claimable amounts of the film production tax credit;
- (4) Expanding the requirements to qualify for the film production tax credit;
- (5) Changing when DBEDT is required to issue a letter specifying the qualified production costs and tax credit amount qualified for from no later than ten months to no later than seven months after receipt of the taxpayer's statement;
- (6) Changing the application processing fee that would have been submitted to the Department of Taxation and deposited into the Tax Administration Special Fund to a fee equal to 0.2 percent of the film production tax credit claimed, to be submitted to DBEDT and deposited into the Hawaii Film and Creative Industries Development Special Fund;
- (7) Increasing the cap of the total film production tax credits claimable per qualified production;
- (8) Deleting redundant and conflicting language that would have required every person making payment to a loan-out company to withhold an amount equal to one-half of one percent of qualified production costs for services performed in the State, the amount of which would have been remitted to the credit of the general excise tax account of the loan-out company;
- (9) Amending the definition of "qualified production costs";

- (10)Deleting language that would have authorized the Tax Administration Special Fund to be used to process qualified production applications for the film production tax credit;
- (11)Changing the number of Tax Auditor positions the Department of Taxation is authorized to establish from four to two, and inserting an appropriation for these positions;
- (12)Requiring DBEDT to establish one full-time equivalent permanent Program Specialist position, and inserting an appropriation for the position;
- (13)Changing the effective date to July 1, 2022; provided that the provisions of this measure applicable to the film production tax credit shall take effect on January 1, 2023; and
- (14)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. 1982, 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. 1982, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, D. Kobayashi, and Okimoto.

Managers on the part of the House.

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

Senators Wakai, Keith-Agaran, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 122-22 on H.B. No. 2309**

The purpose of this measure is to reduce recidivism rates in the State and increase productivity in affected communities by establishing and appropriating funds for an array of diversion, reentry, and rehabilitation services and programs within the State, including the following:

- (1) A pilot program to allow minor children to remain with their mothers while the mothers are participating in therapeutic, drug treatment, or other residential programs, to be administered by the Judiciary;
- (2) A comprehensive recidivism prevention pilot program within the Judiciary, including a housing voucher program, child care voucher program, and employer income tax credit program;
- (3) An offender reset program within the Department of Public Safety to provide offenders pre- and post-release assistance to support their reentry, rehabilitation, and employment;
- (4) Diversion, reentry, and rehabilitation services and programs within the State, as they relate to offenders who are in the Department of Public Safety's custody and control, or under the jurisdiction of the Judiciary or Hawaii Paroling Authority; and
- (5) Services and programs within the State for formerly incarcerated persons exiting jails and prisons, with a special focus on housing, human services, and health.

Your Committee on Conference has amended this measure by:

- (1) Removing the pilot programs, offender reset program, and appropriations for services and programs under the Judiciary and Department of Human Services;
- (2) Appropriating funds to support diversion, reentry, and rehabilitation services and programs within the State, as follows:
  - (A) For the purchase of identification card machines to assist offenders while they are in the Department of Public Safety's custody and control in obtaining identifying documentation that is essential to their reentry upon release, to be expended by the Department of Public Safety;
  - (B) For the development and maintenance of community housing for parolees to support their reentry into the community and their rehabilitation, to be expended by the Hawaii Paroling Authority; and
  - (C) For a forensic peer specialist program to assess and treat incarcerated individuals with behavioral, mental, and substance abuse issues, to be expended by the Department of Health;
- (3) Changing its effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purpose 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. 2309, 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. 2309, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Matayoshi, B. Kobayashi, Ganaden, Morikawa, and McDermott.

Managers on the part of the House.

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

Senators Nishihara, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 123-22 on H.B. No. 1741**

The purpose of this measure is to:

- (1) Require the Department of Human Services to work with the Department of Public Safety, Family Reunification Working Group, and other entities serving children and families affected by parental incarceration to establish a pilot visitation and family resource center at Waiawa Correctional Facility on Oahu whose staff includes trauma-informed professionals who serve as liaisons and hookele for families affected by incarceration;

- (2) Require the Department of Human Services to continue to lead a working group to address visitation and support needs of children and families of incarcerated individuals;
- (3) Require the working group to submit a report to the Legislature before the Regular Session of 2023; and
- (4) Appropriate funds to the Department of Human Services and Department of Public Safety for the establishment of the pilot visitation and family resource center at Waiawa Correctional Facility.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$305,000 for the Department of Human Services and \$115,000 for the Department of Public Safety to establish the pilot visitation and family resource center at Waiawa Correctional Facility; and
- (2) Changing its 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 H.B. No. 1741, 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. 1741, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, B. Kobayashi, Ganaden, Morikawa, and McDermott.

Managers on the part of the House.

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

Senators San Buenaventura, DeCoite, Taniguchi, Acasio, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 124-22 on H.B. No. 2171**

The purpose of this measure is to:

- (1) Establish a Department of Law Enforcement to consolidate and administer criminal law enforcement and investigations functions of the State;
- (2) On January 1, 2023, transfer the law enforcement functions of the Department of Public Safety to the Department of Law Enforcement;
- (3) On January 1, 2023, reestablish the Department of Public Safety as an independent Department of Corrections and Rehabilitation to administer the corrections, rehabilitation, and reentry of the inmate population;
- (4) On July 1, 2023, transfer the law enforcement functions of the Department of Transportation, the non-statutorily mandated functions of the investigations division of the Department of the Attorney General, and the Office of Homeland Security to the Department of Law Enforcement;
- (5) Establish a Department of Law Enforcement training center and appropriate funds for a multi-purpose training and staff development and administrative support facility for the Department of Corrections and Rehabilitation and a new law enforcement complex at Mililani Technology Park for the Department of Law Enforcement; and
- (6) Appropriate funds for various positions in the Department of Law Enforcement and Department of Corrections and Rehabilitation and for pay increases for deputy sheriffs.

Your Committee on Conference has amended this measure by:

- (1) Changing the phasing of various parts of the measure, making the following parts effective on January 1, 2024:
  - (A) Part III, transferring law enforcement functions and personnel from the Department of Public Safety to the Department of Law Enforcement;
  - (B) Part IV, reestablishing the Department of Public Safety as the Department of Corrections and Rehabilitation, the Director of Public Safety as the Director of Corrections and Rehabilitation, establishing its deputy directors, and placing the authority and responsibilities of the Department of Corrections and Rehabilitation in Chapter 353, Hawaii Revised Statutes;
  - (C) Part V, transferring certain other law enforcement functions and personnel to the Department of Law Enforcement; and
  - (D) A new part VIII, relating to Department of Corrections and Rehabilitation positions;
- (2) Amending the contents of the report required upon the death of an inmate or correctional facility employee to include the name of the decedent; provided that this information is not protected from disclosure by state or federal law;
- (3) Removing the disclosure of the name of the decedent as a discretionary act of the Director of Corrections and Rehabilitation;
- (4) Establishing in statute the new law enforcement complex at Mililani Technology Park and removing the appropriation for the law enforcement complex;
- (5) Removing the appropriation for the support facility for the Department of Corrections and Rehabilitation;
- (6) Reducing appropriations to the Department of Law Enforcement for positions and eliminating the appropriation for other operation costs and salary increases for deputy sheriffs;
- (7) Eliminating appropriations to the Department of Corrections and Rehabilitation;
- (8) Changing the effective date for parts II and VI to upon approval; and
- (9) Making technical, nonsubstantive amendments for the purpose 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. 2171, 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. 2171, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Nakashima, B. Kobayashi, Ganaden, and McDermott.

Managers on the part of the House.

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

Senators Nishihara, Keith-Agaran, Rhoads, Baker, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 125-22 on H.B. No. 1974**

The purpose of this measure is to:

- (1) Establish a five-year Small Business Assistance Initiative within the State Procurement Office, to consist of a Small Business Procurement Coordinator and Small Business Office; and
- (2) Appropriate funds to the State Procurement Office for the Small Business Assistance Initiative.

Your Committee on Conference has amended this measure by:

- (1) Establishing the Small Business Assistance Initiative in the Session Laws of Hawaii, rather than statutorily in the Hawaii Revised Statutes;
- (2) Inserting an appropriation amount of \$366,000 for the Small Business Assistance Initiative, to be allocated as follows:
  - (A) \$115,000 to complete the State Small Business Database as provided by Act 42, Session Laws of Hawaii 2017, prior to its repeal;
  - (B) \$126,000 for the establishment of one permanent full-time equivalent (1.00 FTE) Small Business Procurement Coordinator position exempt from chapter 76, Hawaii Revised Statutes, in the State Procurement Office; and
  - (C) \$125,000 for the hiring of a local small business to operate and maintain the Small Business Office and for marketing of and outreach for the full five-year term of the Small Business Assistance Initiative;
- (3) Clarifying that the effective date of this measure is upon its approval; provided that the appropriation section shall take effect on July 1, 2022; 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. 1974, 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. 1974, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Johanson, Wildberger, Costales, and Ward.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Ward).

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

**Conf. Com. Rep. 126-22 on H.B. No. 1568**

The purpose of this measure is to:

- (1) Require the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System to ensure that a certain percentage of food purchased for public schools, youth campuses, public hospitals, public prisons, and academic programs of the University of Hawaii consists of fresh local agricultural products or local value-added, processed, agricultural, or food products; and
- (2) Require each of these entities to annually report to the Legislature on its progress made toward meeting certain established benchmarks.

Your Committee on Conference finds that, while it concurs with the intent of the provision in the S.D. 2 version of this measure that requires the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii system to prioritize contracts with vendors that use locally sourced food products, the inclusion of this provision may be challenged as an unconstitutional violation of the Dormant Commerce Clause of the United States Constitution, which prohibits states from passing legislation that discriminates against or excessively burdens interstate commerce, should litigation be brought on this issue and as such believes that this provision should be removed from this measure.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have required the Department of Education, Department of Health, Department of Public Safety, Department of Defense, and University of Hawaii System to prioritize contracts with vendors that use locally sourced food products;
- (2) Changing the effective date to July 1, 2022; 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. 1568, 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. 1568, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Kitagawa, Wildberger, Costales, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

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

**Conf. Com. Rep. 127-22 on H.B. No. 1432**

The purpose of this measure is to facilitate the provision of concession services to the public by:

- (1) Amending the maximum length of certain concession contracts from fifteen years to an unspecified time period;

- (2) Exempting concessions for the operation of ground transportation services and parking lot operations at small boat harbors;
- (3) Exempting concessions for beach or ocean-related recreational services from the sealed bid requirements, with certain conditions;
- (4) Authorizing the county directors of parks and recreation to designate which county parks under their respective jurisdictions are environmentally, culturally, historically, or operationally unique for purposes of determining whether a concession at the park is exempt from the sealed bid requirements; and
- (5) Expanding the exemption for concessions at county zoos, botanic gardens, or county parks designated by the respective county director of parks and recreation, in the director's sole discretion, as environmentally, culturally, historically, or operationally unique; provided that the concessions are awarded to responsible offerors whose proposals are the most advantageous, rather than solely to certain nonprofit corporations.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the maximum length of certain concession contracts is twenty-five years;
- (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. 1432, 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. 1432, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, B. Kobayashi, and Matsumoto.

Managers on the part of the House.

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

Senators Inouye, Moriwaki, Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

Ayes, 5; Ayes with Reservations (Fevella). Noes, none. Excused, none.

#### **Conf. Com. Rep. 128-22 on S.B. No. 2819**

The purpose of this measure is to:

- (1) Repeal certain statutory provisions regarding teachers' salary schedules and ratings; and
- (2) Fund a memorandum of understanding to address compensation equity issues and make the necessary discretionary salary adjustments for experienced senior public school teachers and state public charter school teachers.

Your Committee on Conference finds that the State faces a chronic shortage of qualified educators. The recruitment and retention of qualified teachers is critical to the success of the State's public education system. Your Committee on Conference further finds that better pay is correlated with greater success in recruiting and retaining qualified educators. Your Committee on Conference additionally finds that the salaries of experienced senior teachers in the State are inequitably aligned with less senior teachers. Accordingly, this measure promotes both the recruitment and retention of qualified teachers by addressing certain existing salary inequities.

Your Committee on Conference has amended this measure by:

- (1) Deleting the appropriation provisions;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2819, 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. 2819, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Onishi, Eli, Perruso, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Misalucha, Kim, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 129-22 on S.B. No. 2821**

The purpose of this measure is to:

- (1) Require the Department of Education and State Public Charter School Commission to provide menstrual products to all students, free of charge, on all public school and public charter school campuses; and
- (2) Appropriate funds to provide the menstrual products.

Your Committee on Conference finds that the lack of adequate access to menstrual products in schools is harmful in many ways. It limits full participation in school, contributes to higher rates of school absenteeism and missed activities, and perpetuates gender and class inequities. Your Committee on Conference further finds that having a sufficient supply of menstrual products available to students will prevent the extended use of products beyond the recommended time or use of alternatives, which can cause serious health problems. Accordingly, this measure will promote menstrual equity by providing menstrual products to all students, free of charge, on all public and charter school campuses.

Your Committee on Conference has amended this measure by:

- (1) Defining "public school campuses" to include all Department of Education schools and public charter schools;
- (2) Removing the addition of a new section to chapter 302D, Hawaii Revised Statutes, which is no longer necessary as the definition of "public school campuses" includes public charter schools;
- (3) Removing the appropriation sections, as the initiative is to be funded through the state budget measure; 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. 2821, 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. 2821, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Costales, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 130-22 on S.B. No. 2184**

The purpose of this measure is to:

- (1) Establish a Digital Learning Center within the Department of Education; and
- (2) Appropriate funds for staffing and programmatic expenses for the Digital Learning Center.

Your Committee on Conference finds that digital learning is a critical component of education today. Your Committee on Conference further finds that digital learning can promote the equitable delivery of high-quality educational offerings to students. Accordingly, this measure will help improve the quality and delivery of digital learning services for students statewide by establishing and funding a digital learning center within the Department of Education.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$7,099,062.57;
- (2) Clarifying the allowable uses of the appropriated funds; 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. 2184, 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. 2184, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Costales, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 131-22 on S.B. No. 3090**

The purpose of this measure is to provide greater fiscal transparency by broadening the purposes for which indirect costs from federal grants incurred by the Department of Education, State Public Charter School Commission, or a charter school authorizer may be reimbursed.

Your Committee on Conference finds that indirect cost funds are reimbursements from federal grants received by the Department of Education for costs incurred in support of administrative and general business operations. Accordingly, this measure promotes better, intentional, planned, and transparent use of the funds by broadening the purposes for which indirect costs from federal grants may be used.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; 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. 3090, 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. 3090, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Costales, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Taniguchi, and Fevella.

Managers on the part of the Senate.

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



**Conf. Com. Rep. 132-22 on S.B. No. 3092**

The purpose of this measure is to allow for greater implementation of commercial enterprises in schools by classifying student interns engaged in a commercial enterprise as employees of the State for purposes of the State Tort Liability Act and allowing the Department of Education to use revenue generated from school commercial enterprises.

Your Committee on Conference finds that there are liability concerns for businesses that employ student interns through the Department of Education's commercial enterprise program. Accordingly, this measure encourages participation of businesses in the commercial enterprise program and promotes workforce readiness by designating student interns of the commercial enterprise program as State employees.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; 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. 3092, 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. 3092, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Kapela, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Taniguchi, Kanuha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 133-22 on S.B. No. 2893**

The purpose of this measure is to establish and appropriate funds for a one-year pilot program to subsidize the purchase of school supplies at schools composed entirely of students eligible for participation in Title I, Part A, of the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act.

Your Committee on Conference finds that the annual expense of purchasing student school supplies can reach thousands of dollars, which is beyond the financial means of many low-income families. Your Committee on Conference further 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. Accordingly, this measure will help to ensure that the students who attend those schools receive the school supplies necessary for their academic year by establishing a subsidy program for their school supplies.

Your Committee on Conference has amended this measure by:

- (1) Exempting certain Department of Education expenditures, including those made pursuant to this measure, from certain procurement requirements and instead subject them to small purchase procurement requirements;
- (2) Inserting an appropriation amount of \$806,800;
- (3) Inserting an effective date of July 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. 2893, 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. 2893, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Clark, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 134-22 on S.B. No. 2081**

The purpose of this measure is to:

- (1) Establish the Department of Education Commercial Enterprises Revolving Fund to accept the deposit of revenues from commercial enterprise operation programs undertaken by the Department of Education;
- (2) Authorize the Department of Education to expend revenues from the Revolving Fund to support the operations of the commercial enterprises; and
- (3) Make an appropriation into the Revolving Fund.

Your Committee on Conference finds that commercial enterprises provide students with critical hands-on and real-world experiences that contribute to post-secondary and workforce success. Your Committee on Conference further finds that revenues generated by these commercial enterprises, if any, support various school programs. Your Committee on Conference notes, however, that this revenue generation currently presents certain fiscal challenges for schools. Accordingly, this measure promotes career readiness and encourages the growth of commercial enterprises in schools by removing certain barriers that hinder the effectiveness and progression of the commercial enterprises.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation; 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. 2081, 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. 2081, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Kapela, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 135-22 on S.B. No. 2818**

The purpose of this measure is to establish and appropriate funds for a Summer Learning Coordinator position within the Department of Education to coordinate all school-based summer programs for children.

Your Committee on Conference finds that the coronavirus disease 2019 pandemic has caused learning loss among students across the State and adversely impacted their well-being. Your Committee on Conference further finds that summer programs have the potential to close student achievement gaps, improve student mental health, promote physical activity, and ensure child safety. Accordingly, this measure promotes efforts to accelerate learning and the provision of additional student services during the summer months by establishing a Summer Learning Coordinator position to coordinate all school-based summer programs for children.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$125,000; and
- (2) Inserting an effective date of 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. 2818, 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. 2818, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Shimabukuro, Kanuha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 136-22 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 grade of O6 or above, or its equivalent;
- (2) Has served as a commissioned officer in one or more components in the Army or Air Force for at least ten years; and
- (3) Has no administrative actions preventing promotion to the rank of a General Officer in the military grade of O7 or O8.

Your Committee on Conference finds that the Adjutant General plays a critical role in the safety and security of the people of Hawaii and this role warrants the Adjutant General to have certain experience. This measure ensures the safety of residents of the State by providing qualifying criteria to assist with the selection of the Adjutant General.

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. 1112, 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. 1112, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, B. Kobayashi, Ganaden, and McDermott.

Managers on the part of the House.

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

Senators Nishihara, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 137-22 on S.B. No. 2637**

The purpose of this measure is to:

- (1) Require the Department of Public Safety to develop and make available a community-based work furlough program for women offenders in the State; and
- (2) Appropriate funds to the Department of Public Safety to continue and expand community-based work furlough for women.

Your Committee on Conference finds that existing community-based work furlough programs enable women to return to the workforce, keeping eighty-four percent of participants out of prison and providing them with the opportunity to participate in and access transitional training. This measure will reduce recidivism and benefit both women inmates and the community by ensuring the continuation and expansion of the community-based work furlough program for incarcerated women in the State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000 for the continuation and expansion of community-based work furlough for women; and
- (2) 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. 2637, 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. 2637, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ohno, Ichiyama, B. Kobayashi, Ganaden, Morikawa, and Matsumoto.

Managers on the part of the House.

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

Senators Nishihara, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 138-22 on S.B. No. 2510**

The purpose of this measure is to:

- (1) Amend the Hawaii State Planning Act to give consideration to reducing reliance on energy imports, ensuring that all new utility scale electricity generation projects are renewable, balancing of grid resources including firm renewable energy resources, and reliable replacement of fossil fuel generation with balanced grid resources;
- (2) Prohibit fossil fuel generation after December 31, 2045, except in certain circumstances; and
- (3) Expand vocational training in renewable energy and related industries.

Your Committee on Conference finds that to meet the State's goal of one hundred percent renewable energy by 2045, the State must consider a variety of options to utilize renewable energy sources to address the needs of the State while also providing reliable, clean energy to Hawaii's people. Therefore, the creation of a clean energy framework to address Hawaii's energy needs is critical to ensure the availability of clean, renewable energy for Hawaii's residents, communities, and businesses that is consistent with the State's goals.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that electricity generation facilities, rather than projects shall be renewable capable;
- (2) Requiring greater diversification of renewable energy generation to include intermittent and firm renewable generation to improve reliability and achieve one hundred percent renewable energy objectives;
- (3) Requiring reliable replacement of fossil fuel generation with firm renewable generation;
- (4) Clarifying that firm renewable generation shall be a minimum of 33.33 percent of renewable energy generation for each island and may only be updated by the Legislature through the following:
  - (A) Adoption of a concurrent resolution based on data from a study by the Hawaii Natural Energy Institute, as described in this measure; and
  - (B) Submission of a concurrent resolution by the Office of Planning and Sustainable Development to the Legislature for review of the proposed firm renewable energy generation minimum percentage;
- (5) Limiting the percentage of any one type of renewable energy source to forty-five percent of all generation for each island, except for geothermal generated energy;
- (6) Prohibiting fossil fuel generation after December 31, 2045, except in cases of emergencies, natural disasters, and other extenuating circumstances beyond an electric utility company's reasonable control;
- (7) Clarifying the State's policy to include cost-saving decisions into pursuing energy objectives;
- (8) Clarifying the definition of "firm renewable energy" to include capability of continuous production of energy twenty-four hours per day, three hundred sixty-five days per year, on the demand of the energy system operator at its rated capacity, subject only to routine maintenance and repairs;
- (9) Inserting language to incentivize the development of firm renewable energy to replace fossil fuel generation;
- (10) Inserting language that requires the Office of Planning and Sustainable Development to update the energy state functional plan and submit an annual report to the Legislature regarding the status of the plan and related policies;
- (11) Inserting language that requires the Hawaii Natural Energy Institute to conduct a study to update the minimum percentage of firm renewable generation for each island and maximum proportion of any one renewable energy source on each island;
- (12) Inserting an appropriation of \$200,000 for the Hawaii Natural Energy Institute to conduct the study;
- (13) Inserting an appropriation of \$200,000 for the Office of Planning and Sustainable Development to update the energy state functional plan;
- (14) Inserting a purpose section reflecting its amended purpose;
- (15) Inserting an effective date of July 1, 2022; and
- (16) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2510, 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. 2510, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Marten, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Inouye, Wakai, Kidani, Keith-Agaran, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 2 (Wakai, Fevella).

**Conf. Com. Rep. 139-22 on S.B. No. 416**

The purpose of this measure is to:

- (1) Clarify the applicable expert witness fees in state criminal cases; and
- (2) Increase per diem payments for other witnesses required to travel and stay overnight to attend a state court or grand jury in any criminal case.

Your Committee on Conference finds that statutory changes are needed to ensure the reimbursement of certain expert witness fees for county prosecutors, indigent defendants represented by the Office of the Public Defender, and private conflict counsel, and that these changes are necessary to support both a defendant's constitutional right to a defense and the State's ability to prosecute violations of the law. This measure codifies the procedures and guidelines allowing for reimbursement of expert witness fees while also assisting witnesses and crime victims in covering the rising costs of travel.

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. 416, 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. 416, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Matayoshi, 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. 140-22 on S.B. No. 2182**

The purpose of this measure is to establish and fund a School Garden Coordinator position within the Department of Education's Office of Curriculum and Instructional Design to provide technical support and startup resources for schools interested in starting a school garden program.

Your Committee on Conference finds that learning gardens and farms on school campuses across Hawaii promote student health, advance academic achievement, and strengthen social and emotional well-being. Your Committee on Conference further finds that establishing a School Garden Coordinator position is necessary to successfully implement the Hawaii Farm to School Program. Accordingly, this measure benefits students statewide, helps develop a robust agricultural workforce, and accelerates garden and farm-based education opportunities by establishing a School Garden Coordinator position within the Department of Education.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000; and
- (2) Inserting an effective date of 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. 2182, 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. 2182, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Kapela, and Okimoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

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

**Conf. Com. Rep. 141-22 on S.B. No. 2862**

The purpose of this measure is to appropriate funds to the Department of Education to install air conditioning units in public school classrooms that have not received air conditioning units or other heat abatement measures.

Your Committee on Conference finds that hot classroom temperatures in the State's public schools can adversely affect students and student achievement. Your Committee on Conference further finds that temperatures in Hawaii's classrooms are regularly recorded at over one hundred degrees during certain periods of the school year. Your Committee on Conference also finds that, while a prior appropriation successfully funded heat abatement upgrades for many public school classrooms, many more still require heat abatement improvements. Accordingly, this measure appropriates funds for classrooms that are still in need of heat abatement improvements.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$10,000,000; and
- (2) Inserting an effective date of 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. 2862, 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. 2862, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Gates, and Okimoto.

Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

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

**Conf. Com. Rep. 142-22 on S.B. No. 2824**

The purpose of this measure is to amend the minimum qualifications for members of the Board of Education to:

- (1) Diversify the experiences of the Board to include knowledge, experience, and proven expertise in education, workforce development, critical industries to the State, emerging fields, energy, advanced manufacturing, health care, business, technology, entrepreneurship, real estate finance, or organization management; and
- (2) Clarify that members of the Board must have an understanding of best practices in educational governance through organizations such as the National Association of State Boards of Education.

Your Committee on Conference finds that the Board of Education establishes critical educational policy for the State's education system. Your Committee on Conference further finds that schools are expanding their career readiness programs and partnerships with employers to meet the needs of the local and global workforce and community. As a result, the Board of Education must have a sophisticated understanding of policy related to a wide range of subjects. Accordingly, this measure benefits the State's education system by requiring Board of Education members to have diversified backgrounds, expertise, and perspectives, in addition to knowledge about best practices from expert organizations.

Your Committee on Conference has amended this measure by inserting an effective date of 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. 2824, 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. 2824, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Kapela, and Okimoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.  
  
Senators Kidani, Kim, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, none.

**Conf. Com. Rep. 143-22 on S.B. No. 3280**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist Saint Joseph School in planning, designing, constructing, reconstructing, renovating, acquiring, equipping, and improving educational facilities.

Your Committee on Conference finds that Saint Joseph School is the only parochial school on the island of Hawaii and that enrollment at the school has increased. Your Committee on Conference further finds that several improvements to the campus are underway. However, additional funding is necessary to help construct a multi-purpose gymnasium to replace the school's existing, outdated facility. Accordingly, this measure promotes the public interest and will help Saint Joseph School build a stronger learning environment for students and the surrounding county by authorizing the issuance of special purpose revenue bonds.

Your Committee on Conference has amended this measure by:

- (1) Inserting a \$4,000,000 bond ceiling amount; and
- (2) Inserting an effective date of 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. 3280, 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. 3280, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, and Okimoto.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.  
  
Senators Kidani, Inouye, Kanuha, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 144-22 on S.B. No. 2826**

The purpose of this measure is to establish and fund career development success programs to provide financial incentives for participating Department of Education and public charter schools to encourage ninth to twelfth grade students to complete qualified industry-credential programs.

Your Committee on Conference finds that nearly sixty-five percent of available positions today require post-secondary credentials. Your Committee on Conference further finds that industry-recognized credentials teach the specific knowledge and skills required for an occupation or industry and contribute to higher earnings for credentialed individuals. Accordingly, this measure will help high school students prepare to join Hawaii's workforce by establishing a career development success program that incentivizes high school students to enroll in and successfully complete qualified industry-credential programs.

Your Committee on Conference has amended this measure by:

- (1) Inserting per pupil incentive payment amounts of \$1,000; and

- (2) Inserting appropriation amounts of \$2,470,000 and \$130,000 for the Department of Education and State Public Charter School Commission, respectively.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2826, 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. 2826, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Clark, 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. 145-22 on S.B. No. 3091**

The purpose of this measure is to:

- (1) Include commercial enterprises in profit-making operations that students may engage in at schools;
- (2) Clarify that profits from agricultural, industrial, and commercial enterprise pursuits can be used to support the agricultural, industrial, and commercial enterprise pursuit programs directly; and
- (3) Allow students to receive school credit in addition to, or in lieu of, any net profits when engaging in profit-making operations.

Your Committee on Conference finds that there is an absence of clarity and consistency regarding the allowable parameters of commercial enterprise activities in public schools. This, in turn, limits students' opportunities to engage in real-world, hands-on experiences. Accordingly, this measure promotes workforce readiness by clarifying the law pertaining to commercial enterprise activities in public schools.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; 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. 3091, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3091, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Costales, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Taniguchi, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 146-22 on S.B. No. 2142**

The purpose of this measure is to:

- (1) Allow Department of Education students to fulfill high school diploma requirements by taking world language, fine arts, career and technical education, or computer science credits;
- (2) Establish a Computer Science in Teaching Scholarship Program at the University of Hawaii to encourage students earning an education degree to take a computer science course;
- (3) Require the University of Hawaii to establish computer science pathways for students earning an education degree;
- (4) By June 30, 2023, require programs leading to teacher licensing and certification to include certain computer science instruction; and
- (5) Appropriate funds for the University of Hawaii Computer Science in Teaching Scholarship Program.

Your Committee on Conference finds that computer science skills are critical to academic and career success. Accordingly, this measure promotes education and career success by encouraging high school students to learn computer science, providing incentives for future teachers to study computer science, and requiring that certified and licensed teachers receive instruction in computer science.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$1,000,000; and
- (2) Inserting an effective date of 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. 2142, 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. 2142, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Takayama, Eli, Gates, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Kim, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 147-22 on S.B. No. 2115**

The purpose of this measure is to:

- (1) Require certain children under Family Court jurisdiction to be taken without unnecessary delay to the court or place of shelter designated by the court; and
- (2) Establish conditions and time limits for placing a minor into room confinement at a juvenile detention facility or adult jail facility.

Your Committee on Conference finds that solitary confinement is harmful to youth health and development and increases the likelihood of self-harm and suicide. This measure will protect the health and safety of minors by codifying room confinement conditions and limitations.

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. 2115, 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. 2115, S.D. 1, H.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 Nishihara, Acasio, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 148-22 on S.B. No. 2482**

The purpose of this measure is to establish an Office of Wellness and Resilience within the Office of the Governor to support and implement the statewide framework developed by the Trauma-Informed Care Task Force established pursuant to Act 209, Session Laws of Hawaii 2021.

Your Committee on Conference finds that traumatic experiences, especially in childhood, can have a lifelong impact on health, learning, and even brain development. Positively influencing a child's developing brain is more effective and less costly than attempting to correct poor learning, health, and behaviors later in life. Your Committee on Conference further finds that currently, state agencies and departments have worked independently to train their family-serving workforce in trauma-informed care. The office established by this measure will lead the creation and adoption of a statewide framework for trauma-informed and responsive practices, which among other things, will help to coordinate the various agencies that have individually taken steps toward improving trauma-informed care.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$894,528 for the establishment and operations of the Office of Wellness and Resilience, which includes six full-time equivalent (6.0 FTE) positions and two contracted consultants; and
- (2) Inserting an effective date of 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. 2482, 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. 2482, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Kitagawa, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 149-22 on S.B. No. 3367**

The purpose of this measure is to create an Early Lung Cancer Screening Task Force to research the steps and resources necessary to increase early lung cancer screening in the State.

Your Committee on Conference finds that lung cancer is the leading cause of cancer deaths for men and women in Hawaii, yet Hawaii ranks last in the nation for the early diagnosis of lung cancer. Your Committee on Conference also finds that the United States Preventive Services Task Force has recommended that smokers and former smokers who are at high risk of developing lung cancer undergo computerized tomography scans. An annual lung cancer screening with low-dose computed tomography is now recommended for adults ages fifty to eighty years who have a twenty pack-year smoking history and currently smoke or have quit within the past fifteen years. Thus, there is a need to research, plan, and implement early lung cancer screening in the State. This measure establishes the Early Lung Cancer Screening Task Force to accomplish these goals.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$250,000 for the Early Lung Cancer Screening Task Force;
- (2) Inserting an effective date of July 1, 2022; 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. 3367, 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. 3367, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Har, and Ward.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

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

**Conf. Com. Rep. 150-22 on S.B. No. 2822**

The purpose of this measure is to authorize the Department of Education to offer optional asthma education instruction to students and provide asthma training to teachers and other department employees who interact with students.

Your Committee on Conference finds that a substantial number of Hawaii residents are living with asthma and many are children. Your Committee on Conference further finds that research suggests that students who engage in school-based asthma education experienced significantly fewer days with activity limitations and significantly fewer nights of sleep disturbance after participation in the intervention. Accordingly, this measure authorizes the Department of Education to offer optional asthma education instruction to students and provide training to teachers and other department employees to ensure students with asthma are able to thrive in all environments.

Your Committee on Conference has amended this measure by inserting an effective date of 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. 2822, 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. 2822, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Yamane, Eli, Kapela, and Okimoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Yamane).

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

**Conf. Com. Rep. 151-22 on S.B. No. 2214**

The purpose of this measure is to require and fund the Board of Education, through the State Librarian, to establish a digital literacy program to promote digital literacy through programmatic activities, including making digital technology accessible to individuals with disabilities.

Your Committee on Conference finds that digital literacy skills are crucial for career success today. However, while digitization offers advantages to digitally literate individuals, it also increases barriers for members of the public who lack digital skills. Accordingly, this measure promotes digital literacy and the improvement of workforce skills by establishing a digital literacy program within the public library system.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$75,000; and
- (2) Removing the establishment of one full-time equivalent (1.0 FTE) position within the Hawaii state public library system.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2214, 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. 2214, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Costales, and Okimoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

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

**Conf. Com. Rep. 152-22 on S.B. No. 2857**

The purpose of this measure is to:

- (1) Establish a five-year Child Wellness Incentive Pilot Program within the Department of Human Services to pay \$50 to a state Medicaid benefit recipient, each time the recipient parent's child completes a well-child examination; and
- (2) Appropriate funds to establish, implement, and operate the program.

Your Committee on Conference finds that well-child examinations allow for the comprehensive assessment of a child and opportunity for further evaluation if abnormalities are detected. Your Committee on Conference also finds that when children receive the recommended number of high-quality visits, they are more likely to be up-to-date on immunizations, have developmental concerns recognized early, and are less likely to visit the emergency department. This measure will incentivize Medicaid benefit recipients to complete their children's well-child examinations and thereby promote the health of children in State.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$4,516,000;
- (2) Inserting an effective date of July 1, 2022; 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. 2857, 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. 2857, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Shimabukuro, Acasio, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 153-22 on S.B. No. 3236**

The purpose of this measure is to appropriate funds to provide a one-time enhanced payment equal to fifteen percent of the Medicaid patient payments of fiscal year 2022-2023 made to any eligible facility in the State that provides care to Medicaid patients in a Medicare-certified nursing facility, community care foster family home, and expanded adult residential care home.

Your Committee on Conference finds that the coronavirus disease 2019 (COVID-19) pandemic has created significant staffing and financial strains for Hawaii's long-term care facilities. The one-time enhanced payment provided by this measure will help these facilities stabilize and attract qualified workers and improve health outcomes for vulnerable facility residents.

Your Committee on Conference has amended this measure by:

- (1) Eliminating the fifteen percent cap for the one-time enhanced payments;
- (2) Clarifying that the one-time enhanced payment will be made to state-licensed skilled nursing facilities, community care foster family homes, and expanded adult residential care homes that are caring for Medicaid patients;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Inserting an appropriation amount of \$18,000,000;
- (5) Inserting an effective date of July 1, 2022; 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. 3236, 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. 3236, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ichiyama, Yamane, Eli, Costales, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Kanuha, Ihara, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 154-22 on S.B. No. 2283**

The purpose of this measure is to:

- (1) Require the Hawaii Natural Energy Institute to conduct a study to examine the potential for the production and use of renewable hydrogen in the State and the potential role of renewable hydrogen in achieving a local, affordable, reliable, and decarbonized energy system and economy; and
- (2) Require a report to the Legislature to be submitted prior to the Regular Session of 2024.

Your Committee on Conference finds that renewable hydrogen can contribute to Hawaii's energy needs and energy planning goals. Your Committee on Conference further finds that although hydrogen is known as a clean and reliable fuel source, it is still critical to fully evaluate its potential before integrating hydrogen into Hawaii's energy system.

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. 2283, 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. 2283, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Marten, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Misalucha, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 155-22 on S.B. No. 3229**

The purpose of this measure is to:

- (1) Cap the amount of royalties from geothermal resources that are to be paid to the State and to the county in which the geothermal resources are located;

- (2) Deposit geothermal royalties that are distributed to the University of Hawaii into the University Innovation and Commercialization Initiative Special Fund, to be expended by the Hawaii Institute of Geophysics and Planetology, to further the discovery and development of geothermal resources; and
- (3) Require each county in which mining operations covered under a state geothermal resource mining lease are situated, and the Hawaii Institute of Geophysics and Planetology to submit an annual report to the Legislature on how the royalties distributed to them were used.

Your Committee on Conference finds that although geothermal energy is a firm source of cost-effective renewable energy, none of the royalties from geothermal resources have been used to advance the discovery and development of geothermal resources within the State. Your Committee on Conference finds that funding the assessment and exploration of local geothermal resources may decrease the State's reliance on fossil fuels, contribute to Hawaii's energy diversification, and help the State to achieve one hundred percent renewable energy generation statewide.

Your Committee on Conference has amended this measure by:

- (1) Replacing the Hawaii Institute of Geophysics and Planetology with the Hawaii Groundwater and Geothermal Resources Center as the entity to use the geothermal royalties in the University Innovation and Commercialization Initiative Special Fund and submit an annual report to the Legislature on how the royalties distributed to them were used;
- (2) Capping the geothermal royalties that the State pays to the county in which mining operations covered under a state geothermal resource mining lease are situated at \$600,000;
- (3) Capping the geothermal royalties distributed annually to the State at \$1,000,000; and
- (4) Making it effective 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. 3229, 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. 3229, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Takayama, Marten, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Moriwaki, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 156-22 on S.B. No. 2570**

The purpose of this measure is to:

- (1) Establish the Zero-Emission Vehicle Fueling System Rebate Program;
- (2) Establish the rebate amount for the installation or upgrade of a hydrogen fueling system;
- (3) Establish a hydrogen fueling system subaccount within the Public Utilities Commission Special Fund; and
- (4) Reduce the allocation that the Energy Systems Development Special Fund receives from the Environmental Response, Energy, and Food Security Tax from 8 cents to 5 cents and allocate the difference to the hydrogen fueling system subaccount.

Your Committee on Conference finds that incentivizing the installation and upgrade of hydrogen refueling stations is essential to meeting the demand for hydrogen fuel cell vehicles and promoting the use of zero-emission vehicles in the State. Your Committee on Conference further recognizes that an increased use in zero-emission vehicles will not only further the State's energy policy objectives but may also decrease the State's reliance on fossil fuels.

Your Committee on Conference has amended this measure by:

- (1) Making it effective on July 1, 2022; 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. 2570, 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. 2570, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, Kong, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 157-22 on S.B. No. 2865**

The purpose of this measure is to authorize the issuance of special purpose revenue bonds to assist DIBSHawaii LLC in constructing a net-zero carbon capture storage utilization platform to recover vented carbon dioxide emissions and scrub and liquify the emissions into food grade liquid carbon dioxide.

Your Committee on Conference finds that the food grade liquid carbon dioxide produced by DIBSHawaii LLC's proposed net-zero carbon capture storage utilization platform will be used for agriculture, energy, and carbon storage to support the State's food security and resilience goals. Your Committee on Conference notes that the construction of a net-zero carbon capture storage utilization platform in the State would have additional benefits, including but not limited to import substitution, economic diversification, and long-term carbon sequestration.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$40,000,000; and

(2) Making it effective 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. 2865, 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. 2865, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Marten, Tokioka, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Shimabukuro, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 158-22 on S.B. No. 3235**

The purpose of this measure is to establish and appropriate funds for an inter-agency Safe Spaces for Youth Pilot Program within the Department of Human Services to provide safe spaces in each county for youth experiencing homelessness.

Your Committee on Conference finds that runaway and homeless youth are vulnerable to multiple risks, including lack of basic food and shelter, untreated mental health disorders, substance use, disruptions in their education, sexually transmitted diseases and human immunodeficiency virus infection, sexual exploitation, physical victimization, and suicide. Your Committee on Conference believes that the Safe Spaces for Youth Pilot Program established under this measure will provide an additional means of addressing the unmet needs of homeless youth through a coordinated inter-agency effort involving the state and county agencies responsible for the State's child welfare, education, health, human services, and juvenile justice systems.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$600,000 for the Safe Spaces for Youth Pilot Program;
- (2) Clarifying that the appropriation includes funding for one full-time equivalent (1.0 FTE) position and administrative costs for the pilot program; and
- (3) Inserting an effective date of 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. 3235, 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. 3235, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Gates, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Kanuha, Acasio, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 159-22 on H.B. No. 2336**

The purpose of this measure is to:

- (1) Clarify certain provisions in chapter 291J, Hawaii Revised Statutes, to better reflect the legislative intent of the Photo Red Light Imaging Detector Systems Program;
- (2) Establish minimum display times for yellow lights on traffic-control signals; and
- (3) Amend Act 30, Session Laws of Hawaii 2020, as amended, to account for the current timetable of the Photo Red Light Imaging Detector Systems Program.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have established minimum display times for yellow lights on traffic-control signals;
- (2) Clarifying the definition of "photo red light imaging detector" or "photo red light imaging detector system";
- (3) Clarifying procedures regarding answering, court hearings, and court actions;
- (4) Changing the effective date to upon approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2336, 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. 2336, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Matayoshi, Ilagan, Nishimoto, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Rhoads, Inouye, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 160-22 on H.B. No. 1971**

The purpose of this measure is to:

- (1) Authorize and regulate peer-to-peer car-sharing programs;
- (2) Impose the general excise tax and rental motor vehicle surcharge tax on peer-to-peer car-sharing programs; and
- (3) Require those persons engaging or continuing in a peer-to-peer car-sharing program to register with the Department of Taxation.

Your Committee on Conference notes that each of the counties may enact ordinances to regulate parking to address parking issues related to peer-to-peer car-sharing programs.

Your Committee on Conference has amended this measure by:

- (1) Clarifying certain definitions and recordkeeping provisions;
- (2) Clarifying the timeframe that a peer-to-peer car-sharing program must perform certain requirements related to motor vehicle safety recalls;
- (3) Changing the effective date to July 1, 2022; 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. 1971, 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. 1971, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Ilagan, Nishimoto, and Matsumoto.

Managers on the part of the House.

Ayes, 3. Noes, none. Excused, 2 (Johanson, Nishimoto).

Senators Lee, Baker, Rhoads, Wakai, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 161-22 on H.B. No. 1619**

The purpose of this measure is to establish peer-to-peer car-sharing insurance requirements.

Your Committee on Conference has amended this measure by:

- (1) Removing references to admitted carriers;
- (2) Reducing the required primary insurance coverage amount for shared cars used through a peer-to-peer car-sharing program from \$1,000,000 to \$750,000;
- (3) Clarifying optional coverage provisions, including requirements in the event the only named insured under the motor vehicle insurance policy issued is the peer-to-peer car-sharing program;
- (4) Requiring the Insurance Commissioner to submit a progress report to the Legislature prior to the Regular Session of 2025;
- (5) Changing its effective date to January 1, 2023, and inserting a sunset date of June 30, 2025; 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. 1619, 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. 1619, H.D. 2, S.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, Taniguchi, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 162-22 on H.B. No. 1992**

The purpose of this measure is to:

- (1) Allow composting and co-composting operations in agricultural districts, under certain conditions; and
- (2) Establish and appropriate funds for one full-time equivalent (1.0 FTE) permanent Environmental Health Specialist IV position in the Department of Health Solid and Hazardous Waste Branch.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$55,200 for the Environmental Health Specialist IV position; and
- (2) Changing its 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 H.B. No. 1992, 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. 1992, H.D. 3, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Lowen, Marten, Perruso, and Matsumoto.

Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Lowen).

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

**Conf. Com. Rep. 163-22 on H.B. No. 1179**

The purpose of this measure is to establish and appropriate funds for a pilot program within the Aina Mauna Legacy Program of the Department of Hawaiian Home Lands to remove and harvest gorse from Mauna Kea and develop gorse as a marketable product to expand economic opportunities for native Hawaiians.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 to establish the pilot program;
- (2) Extending the annual reporting requirement to the Legislature to twenty days prior to the convening of the Regular Session of 2026;
- (3) Changing its effective date to July 1, 2022; and
- (4) Changing its repeal date to June 30, 2026.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1179, 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. 1179, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Nakashima, Todd, Perruso, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Perruso).

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

**Conf. Com. Rep. 164-22 on H.B. No. 2195**

The purpose of this measure is to establish and appropriate funds for a Cesspool Compliance Pilot Grant Project to assist low- and moderate-income property owners, including lessees on Hawaiian home lands, with the costs of upgrading, converting, or connecting a failing cesspool.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble;
- (2) Clarifying the grant award criteria, including a household income limit of no greater than one hundred forty percent of the area median income;
- (3) Requiring an owner or lessee to provide the Department of Health with certain documents;
- (4) Limiting the maximum amount of a grant award to \$20,000;
- (5) Making rulemaking by the Department of Health discretionary, rather than mandatory, and authorizing third parties to claim a grant award on behalf of an owner or lessee, subject to Department of Health rules;
- (6) Specifying that the Department of Health shall submit a report on the grant pilot project to the Legislature prior to the Regular Session of 2024;
- (7) Inserting an appropriation amount of \$5,000,000 for the implementation of the Cesspool Compliance Pilot Grant Project;
- (8) Removing language that would have allowed appropriated funds to be used for one temporary, part-time position in the Department of Health;
- (9) Specifying that any appropriated funds unencumbered as of June 30, 2024, shall lapse as of that date;
- (10) Changing the effective date to July 1, 2022, and inserting a sunset date of June 30, 2028; 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. 2195, 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. 2195, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, Todd, and Matsumoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.  
Senators Keohokalole, Gabbard, Kanuha, San Buenaventura, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 2 (San Buenaventura, Fevella).

**Conf. Com. Rep. 165-22 on H.B. No. 1644**

The purpose of this measure is to ban the manufacture, sale, or distribution for sale or use of wraps and liners, plates, food boats, pizza boxes, and class B firefighting foams that contain intentionally introduced perfluoroalkyl and polyfluoroalkyl substances, in certain circumstances.

Your Committee on Conference has amended this measure by:

- (1) Providing an exception to the ban to allow the use of class B firefighting foam for the suppression of petroleum fires; and
- (2) Changing its 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 H.B. No. 1644, 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. 1644, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, B. Kobayashi, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Baker, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 166-22 on H.B. No. 1640**

The purpose of this measure is to:

- (1) Establish electronic device reporting requirements for manufacturers and collectors; and
- (2) Establish the Electronic Device Recycling Working Group.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 2 version, which:
  - (A) Establishes electronic device manufacturer recycling goals and record keeping and reporting requirements for manufacturers and collectors;
  - (B) Requires collectors to register with the Department of Health;
  - (C) Changes the Electronic Waste and Television Recycling and Recovery Act to the Electronic Device Recycling and Recovery Act and expands the recycling and collection requirements of televisions to all electronic devices; and
  - (D) Requires the electronic device recycling and recovery program to include, among other things, a description of the methods for the convenient collection of electronic devices; and
- (2) Further amending this measure by:
  - (A) Deleting duplicative language that would have required manufacturers to report certain data;
  - (B) Deleting language that would have required the Department of Health to use certain market share data to determine each manufacturer's recycling responsibilities;
  - (C) Changing its effective date to July 1, 2022; and
  - (D) 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. 1640, 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. 1640, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Marten, Tokioka, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Moriwaki, Wakai, Rhoads, Kanuha, and Fevella.

Managers on the part of the Senate.

Ayes, 4. Noes, 1 (Wakai). Excused, 1 (Fevella).

**Conf. Com. Rep. 167-22 on S.B. No. 3201**

The purpose of this measure is to clarify the application of the general excise tax law with regard to gross income derived from unrelated trade or business activities of nonprofit organizations.

Your Committee on Conference finds that, while the federal law is clear with an extensive body of statutory interpretation, nonconforming language used in the state general excise tax provision produces incongruities in how nonprofit activities are taxed. This measure will simplify and improve a nonprofit organization's accounting of income and exempt fundraising income from the general excise tax.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of January 1, 2023; and
- (2) Inserting a sunset date of December 31, 2027.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3201, 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. 3201, S.D. 1, H.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 Ihara, Kanuha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 168-22 on S.B. No. 2144**

The purpose of this measure is to require the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprised of stakeholders, to develop and publish, and periodically review and update, electronic information technology accessibility standards to be implemented by all state entities.

Your Committee on Conference finds that electronic information technology has rapidly replaced conventional printed communications in various areas, including employment, education, and public services. This measure will help the State meet its digital equity goals by ensuring that all electronic information, programs, and services offered by the State are accessible to individuals with a disability at consistent levels across all state entities.

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. 2144, 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. 2144, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Takayama, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Moriwaki, Shimabukuro, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 169-22 on S.B. No. 2076**

The purpose of this measure is to:

- (1) Require the University of Hawaii and the Hawaii Broadband and Digital Equity Office to convene a working group to determine the appropriate governance structure to operate, maintain, and oversee broadband assets; and
- (2) Appropriate an unspecified amount of funds to the University of Hawaii for the administration of the working group.

Your Committee on Conference finds that the effective and efficient construction and maintenance of broadband infrastructure necessary to sustain interconnectivity within the State is vital to the well-being of Hawaii's residents and communities. Your Committee on Conference further finds that the broadened scope of duties of the Hawaii Broadband and Digital Equity Office necessitates an increase of resources for the Office to perform its duties.

Your Committee on Conference has amended this measure by:

- (1) Adding the Director of Health and the Superintendent of Education to the members of the working group;
- (2) Removing language that appropriates an unspecified amount of funds to the University of Hawaii for the administration of the working group;
- (3) Appropriating:
  - (A) \$360,000 for three full-time equivalent (3.0 FTE) administrative positions for the operation and administration of the Hawaii Broadband and Digital Equity Office; and
  - (B) \$200,000,000 in federal funds to the University of Hawaii for the planning and implementation of a statewide broadband initiative;
- (4) Making it effective on July 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. 2076, 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. 2076, S.D. 2, H.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Takayama, Johanson, Todd, Clark, and Okimoto.

Managers on the part of the House.

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

Senators Wakai, Baker, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 170-22 on H.B. No. 2255**

The purpose of this measure is to require agencies to:

- (1) Use public benefits fee administrator rebates where available for buildings and facilities; and
- (2) Prioritize building and facility appliances that meet the standards required to qualify for public benefits fee administrator rebates.

Your Committee on Conference has amended this measure by changing its 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 H.B. No. 2255, 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. 2255, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Marten, D. Kobayashi, Tokioka, and Matsumoto.

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

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

**Conf. Com. Rep. 171-22 on H.B. No. 1801**

The purpose of this measure is to:

- (1) Require state facilities, with the exception of smaller facilities, 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) Provide that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures; and
- (4) Beginning July 1, 2023, require, where feasible and cost-effective, the design of all new state building construction to maximize energy and water efficiency and energy generation potential, and the use building materials that reduce the carbon footprint of the project.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble and purpose section;
- (2) Deleting language that would have provided that certain agencies that perform energy efficiency retrofitting may continue to receive a certain amount of budget appropriations for energy expenditures;
- (3) Changing its effective date to July 1, 2022; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1801, 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. 1801, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 172-22 on H.B. No. 1761**

The purpose of this measure is to authorize the issuance of limited purpose identification cards for individuals who otherwise satisfy the requirements for a government-issued identification card except for the individual's inability or refusal to provide satisfactory proof of authorized presence in the United States under federal law.

Your Committee on Conference has amended this measure by:

- (1) Requiring every application for limited purpose identification cards to be made upon the form, and in the manner, required for non-limited purpose identification cards; 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. 1761, 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. 1761, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

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

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

**Conf. Com. Rep. 173-22 on H.B. No. 1539**

The purpose of this measure is to:

- (1) Prohibit a person or an organization from posting the personal information of federal and state judges and other judicial staff on the Internet with the intent to intimidate or threaten injury, harm, or violence to the judge or staff or their immediate family members; and
- (2) Create a task force to identify further appropriate measures to enhance the security of judges and judiciary personnel while not diminishing civil liberties or unduly hindering governmental operations.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have prohibited a person or an organization from posting the personal information of federal and state judges and other judicial staff on the Internet with the intent to intimidate or threaten injury, harm, or violence to the judge or staff or their immediate family members;
- (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. 1539, 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. 1539, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Holt, Takumi, and Ward.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, Lee, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 174-22 on H.B. No. 1536**

The purpose of this measure is to appropriate supplemental funds for the Judiciary for the fiscal biennium beginning July 1, 2021, and ending on June 30, 2023.

Your Committee on Conference has amended this measure by inserting appropriate operating and capital amounts for fiscal biennium 2021-2023, as well as making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As amended this budget appropriates:

	FY 2021-2022	FY 2022-2023
General Funds	\$164,891,486	\$169,702,798
All Means of Financing	\$177,900,433	\$182,203,682

As affirmed by the record of votes of the managers 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. 1536, 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. 1536, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, Yamashita, and McDermott.

Managers on the part of the House.

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

Senators Rhoads, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 175-22 on H.B. No. 1800**

The purpose of this measure is to require and appropriate funds for the Hawaii Natural Energy Institute to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals.

Your Committee on Conference has amended this measure by:

(1) Reverting to the H.D. 2 version, which:

- (A) Establishes a goal for the statewide greenhouse gas emissions limit to be at least fifty percent below 2005 levels by 2030;
- (B) Requires the Hawaii State Energy Office to conduct a study to determine Hawaii's pathway to decarbonization and identify challenges, opportunities, and actions that will be needed to achieve those goals; and
- (C) Appropriates funds out of the Energy Security Special Fund for the study; and

(2) Further amending this measure by:

- (A) Inserting an appropriation amount of \$350,000 out of the Energy Security Special Fund for the Hawaii State Energy Office to analyze pathways and develop recommendations for achieving the State's economy-wide decarbonization goals; and
- (B) Changing its 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 H.B. No. 1800, 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. 1800, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Wakai, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 176-22 on S.B. No. 2923**

The purpose of this measure is to increase the generally applicable fine and the fine for homeowner liability under the Fireworks Control Act from \$2,000 to \$5,000.

Your Committee on Conference finds that the illegal use of aerial fireworks continues to annoy residents, traumatize pets, and create dangerous conditions for the entire community. This measure will reduce the use of aerial fireworks, including during celebrations, by increasing the maximum fine that may be

assessed per fireworks-related violation from \$2,000 to \$5,000; provided that the fireworks violation does not otherwise have a specific penalty enumerated in statute.

Your Committee on Conference has amended this measure by:

- (1) Inserting an effective date of July 1, 2022; 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. 2923, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2923, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Rhoads, Kidani, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 177-22 on S.B. No. 3075**

The purpose of this measure is to:

- (1) Ensure that the Compliance Resolution Fund receives \$2,000,000 of the revenues collected under the franchise tax for use by the Division of Financial Institutions of the Department of Commerce and Consumer Affairs;
- (2) Specify that if the revenues collected are under \$2,000,000, the difference is to be received from revenues collected under income tax, in an amount not to exceed \$2,000,000; and
- (3) Require excess revenues collected under the franchise tax to be deposited into the general fund.

Your Committee on Conference finds that existing law requires that \$2,000,000 of franchise tax revenue collections be deposited with the Director of Finance to the credit of the Compliance Resolution Fund every fiscal year to be used by the Division of Financial Institutions to support its mission to effectively license, supervise, and regulate the constantly changing and complex financial institutions within its jurisdiction. However, there have been situations where the deposit of the franchise tax revenues was delayed from one fiscal year to the succeeding fiscal year, which risks interference with the Division of Financial Institution's mission and functions and can delay payments or the ability to enter into necessary contracts. This measure will resolve payment timing issues and specify the source of revenues to reach the necessary \$2,000,000 to fund the Division of Financial Institutions.

Your Committee on Conference has amended this measure by:

- (1) Specifying that, from the franchise tax revenues collected each fiscal year, the sum representing the first \$2,000,000 of such revenues shall be deposited with the Director of Finance to the credit of the Compliance Resolution Fund before tax credits are realized;
- (2) Deleting language that would have required that, in the event the revenues collected are less than \$2,000,000, the difference is to be received from revenues collected under income tax, in an amount not to exceed \$2,000,000; and
- (3) Making it effective upon its approval, provided that it apply to taxable years beginning after December 31, 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. 3075, 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. 3075, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Shimabukuro, Chang, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 178-22 on S.B. No. 2185**

The purpose of this measure is to:

- (1) Require the auditor of fireworks and articles pyrotechnic records for each county fire department to submit to the Legislature an annual report detailing inventory, recordkeeping, and sales of fireworks to license or permit holders; and
- (2) Make grants-in-aid to the counties to cover costs associated with reporting the information to the Legislature.

Your Committee on Conference finds that the use of illegal fireworks in recent years has substantially increased in the State, resulting in excessive noise, property damage, serious injuries, and in some cases, fatalities. Existing law requires that each county fund an auditor to monitor strict inventory and recordkeeping requirements to ensure that sales of fireworks or articles pyrotechnic are made only to license or permit holders under the Fireworks Control Law. This measure requires additional reporting requirements to increase surveillance of fireworks and articles pyrotechnic, with the ultimate goal of reducing the use of illegal fireworks throughout communities in the State.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have appropriated funds as a grant-in-aid to the counties for the purpose of reporting the information required in this measure;
- (2) Inserting an effective date of January 1, 2023; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2185, S.D. 3, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2185, S.D. 3, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Moriwaki, Kidani, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 179-22 on S.B. No. 2644**

The purpose of this measure is to:

- (1) Extend until June 30, 2028, Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, which provides a limited exemption to the licensing requirements for certain individuals in situations when an electric utility must retain qualified individuals to work with high voltage (six hundred volts or higher) who are not licensed in the State but are otherwise deemed qualified by the electric utility; provided that the public utility certifies to the Board of Electricians and Plumbers that, after a hiring call, no electrician sufficiently qualified and licensed in the State to perform high voltage electrical work applied to timely perform or complete the necessary job or task before the public utility recruited outside the State; and
- (2) Make permanent the requirement for the Board of Electricians and Plumbers to submit to the Legislature annual reports relating to high voltage electrical work.

Your Committee on Conference finds that the electrical infrastructure in the State is aging and the construction and maintenance of electrical infrastructure requires specialized high voltage workers. There is a limited number of qualified individuals in the State who are trained and licensed as electricians to perform high voltage electrical work, and even fewer who are qualified to perform overhead line work. As a result, qualified workers are recruited from outside the State when work is available, and requiring them to obtain a separate license to work in Hawaii can be burdensome and could result in significant delays to the progression of important and complex construction projects, including repairs and maintenance in emergency situations. This measure extends the exemption established by Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, to allow electrical contractors licensed in Hawaii to utilize qualified out-of-state high voltage electrical workers to perform work for a utility without requiring these qualified electrical workers to obtain a Hawaii journey worker electrician license.

Your Committee on Conference notes that the public utility serving the majority of the State remains committed to working with the Hawaii-licensed contractors and electricians, unions, and industry stakeholders to address whether there is a shortage of electricians who perform high voltage electrical work. The public utility will further work to find ways to grow their in-house workforce.

Your Committee on Conference has amended this measure by:

- (1) Specifying that, before a duly licensed contractor hired by the public utility may recruit qualified electricians who are not licensed in Hawaii, the public utility shall:
  - (A) Solicit a request for proposals to licensed contractors specifying the high voltage work requested, which shall also be made available through its website in an electronic format to C-62 pole and line and C-63 high voltage electrical contractors; and
  - (B) Certify to the Board of Electricians and Plumbers that no electricians (including electricians employed by C-62 pole and line or C-63 high voltage electrical contractors) responded to the request for proposal who were sufficiently qualified and licensed in the State and available and able to perform or timely complete the high voltage electrical work or task;
- (2) Requiring the public utility to submit an annual report to the Board of Electricians and Plumbers covering the preceding calendar year that identifies, at a minimum:
  - (A) The number of qualified contractors the public utility employed to perform high voltage electrical work; and
  - (B) The number of requests for proposals solicited for high voltage work;
- (3) Clarifying the licensure exemption is limited to the use by a public utility for high voltage electrical workers who perform electric transmission and distribution line construction, maintenance, and connection to substation work;
- (4) Deleting language that would have permanently required the Board of the Electricians and Plumbers to submit annual reports to the Legislature containing certain information;
- (5) Extending the repeal date of Act 65, Session Laws of Hawaii 2013, as amended by Act 60, Session Laws of Hawaii 2018, to 2027 and further amending Act 60 to require the Board of Electricians and Plumbers to submit annual reports to the Legislature prior to the convening of the regular sessions of 2023 through 2027;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of July 1, 2022; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2644, 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. 2644, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Johanson, Sayama, and Matsumoto.

Managers on the part of the House.

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

Senators Baker, Taniguchi, Riviere, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 180-22 on S.B. No. 2186**

The purpose of this measure is to:

- (1) Direct the conveyance of certain lands used for public schools and owned by the counties of Kauai and Maui, the State, and the Department of Land and Natural Resources to the Department of Education;
- (2) Require legislative approval prior to the sale, gift, or alienation of the fee simple title to lands owned by the Department of Education; and
- (3) Appropriate funds to the Department of Education to effectuate the transfer of the lands and to manage the real property.

Your Committee on Conference finds that the Department of Education has invested significant funds on maintenance and capital improvement projects for new school facilities. Your Committee on Conference further finds that non-unified ownership of the land under existing Department of Education schools and offices complicates redevelopment and improvements. Accordingly, this measure provides the Department with the requisite flexibility to redevelop and improve its assets in a timely and efficient manner by consolidating all land underlying existing public schools under the ownership of the Department of Education.

Your Committee on Conference notes that the intent of this measure is to transfer ownership of lands underlying Department of Education schools to the Department, and, where applicable and in the discretion of the Department, this intent may be accomplished through the conveyance of a portion or portions of the parcels identified by this measure, following subdivision of the same.

Your Committee on Conference has amended this measure by:

- (1) Adding an alternate conveyance method of transfer by operation of law and clarifying the Department of Education's discretion in electing to obtain ownership of all or a portion of the identified parcels;
- (2) Clarifying the list of parcels to be transferred;
- (3) Inserting an appropriation amount of \$500,000; and
- (4) Inserting an effective date of 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. 2186, 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. 2186, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Tarnas, Eli, Clark, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Inouye, Kanuha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 181-22 on S.B. No. 2478**

The purpose of this measure is to establish a renewable fuels production tax credit.

Your Committee on Conference finds that the renewable fuels production tax credit established by Act 202, Session Laws of Hawaii 2016, was repealed on December 31, 2021. Your Committee on Conference further finds that reinstating a renewable fuels production tax credit will help the State achieve greater energy security.

Your Committee on Conference has amended this measure by reverting its contents to the S.D. 2 version and further amending it by:

- (1) Setting the annual dollar amount of the renewable fuels production tax credit during the ten-year credit period equal to 20 cents per seventy-six thousand British thermal units of renewable fuels using the lower heating value sold for distribution in Hawaii;
- (2) Capping the tax credit claimed by a taxpayer under this section at \$3,500,000 per taxable year;
- (3) Capping the total amount of renewable fuels production tax credits claimed by all eligible taxpayers at \$20,000,000 in any calendar year;
- (4) Requiring the tax credit only be claimed for fuels with lifecycle emissions below that of fossil fuels;
- (5) Requiring taxpayers claiming the tax credit to provide a statement of information including the lifecycle greenhouse gas emissions per British thermal units for each type of qualified fuel produced no later than thirty days following the close of the calendar year;
- (6) Requiring the Hawaii State Energy Office to provide taxpayers with a determination of whether the lifecycle greenhouse gas emissions for each type of qualified fuel produced is lower than that of fossil fuels within thirty calendar days after the due date of the taxpayer's statement;
- (7) Streamlining the purpose section;
- (8) Making it effective upon its approval; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2478, 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. 2478, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Quinlan, Kitagawa, Marten, Tam, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Kidani, Misalucha, and Fevella.

Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 182-22 on H.B. No. 1885**

The purpose of this measure is to establish within the Office of Enterprise Technology Services a Chief Data Officer and a Data Task Force to develop, implement, and manage statewide data policies, procedures, and standards.

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. 1885, 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. 1885, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Takayama, Kitagawa, Yamashita, Clark, and Okimoto.

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

Senators Moriwaki, Misalucha, and Fevella.

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

**Conf. Com. Rep. 183-22 on H.B. No. 1517**

The purpose of this measure is to:

- (1) Direct the Department of Agriculture to conduct a study to assess the economic impact on the local coffee industry from potential changes to coffee labeling requirements, complete the study no later than January 1, 2024, and submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024;
- (2) Require disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (3) Make it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than fifty-one percent of coffee by weight from that geographic origin;
- (4) Prohibit use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown in Hawaii; and
- (5) Appropriate funds for the Pesticide Subsidy Program.

Your Committee on Conference has amended this measure by:

- (1) Updating the preamble to reflect its intended purpose;
- (2) Specifying that the economic impact study shall be an independent study to assess the economic impact of Hawaii's coffee labeling laws on local coffee farmers and the local coffee industry, including the impacts of a change to a minimum coffee blend ratio of fifty-one percent and one hundred percent;
- (3) Deleting provisions that would have required disclosure on the label of coffee blends of the respective geographic and regional origins and percent by weight of the blended coffees;
- (4) Deleting provisions that would have made it a violation to use a geographic origin in labeling or advertising for roasted or instant coffee blends that contain less than fifty-one percent of coffee by weight from that particular geographic region;
- (5) Deleting provisions that would have prohibited use of the term "All Hawaiian" in labeling or advertising for roasted or instant coffee not produced entirely from green coffee beans grown in Hawaii;
- (6) Deleting the appropriation for the Pesticide Subsidy Program;
- (7) Inserting an appropriation of \$100,000 for the independent economic impact study;
- (8) Changing its effective date 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. 1517, 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. 1517, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Lowen, Johanson, Perruso, and Matsumoto.

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

Senators Gabbard, Wakai, Baker, Misalucha, and Fevella.

Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 184-22 on H.B. No. 1775**

The purpose of this measure is to:

- (1) Require annual reporting to the Legislature by each state educational program or activity on the number and types of discrimination cases received by the University of Hawaii, Department of Education, and State Public Charter School Commission and other relevant information;
- (2) Establish two full-time equivalent (2.0 FTE) senior advisor positions and one full-time equivalent (1.0 FTE) junior advisor position for the University of Hawaii System to carry out the purposes of this measure; and

(3) Appropriate funds to the Department of Education and State Public Charter School Commission to carry out the purposes of this measure.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the University of Hawaii, Department of Education, and State Public Charter School Commission, rather than each state educational program or activity, are required to submit annual reports to the Legislature;
- (2) Requiring public charter schools to submit the number and types of discrimination cases and other relevant information to the State Public Charter School Commission, in a form prescribed by the Commission, by August 1 of each year;
- (3) Requiring covered educational programs and activities to be in compliance with chapter 368D, Hawaii Revised Statutes, during the school year when state funds are received or expended;
- (4) Deleting the definition of "state educational program or activity";
- (5) Deleting language that would have established two full-time equivalent (2.0 FTE) senior advisor positions and one full-time equivalent (1.0 FTE) junior advisor position for the University of Hawaii System to carry out the purposes of this measure;
- (6) Deleting the appropriations to the Department of Education and State Public Charter School Commission to carry out the purposes of this measure;
- (7) Inserting an appropriation of \$350,000 to the Department of Education for equity training;
- (8) Changing the effective date 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. 1775, H.D. 2, S.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1775, H.D. 2, S.D. 3, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Ichiyama, Eli, Kapela, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Kim, Kanuha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 185-22 on H.B. No. 1561**

The purpose of this measure is to:

- (1) Establish an Adult Workforce Readiness Program (Program) to provide opportunities for students to earn associate degrees, workforce development diplomas, pre-apprenticeship certificates, and other industry-recognized certificates; and
- (2) Require the Department of Education to designate schools to participate in the Program.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to July 1, 2022; 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. 1561, 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. 1561, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Kapela, B. Kobayashi, and Okimoto.

Managers on the part of the House.

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

Senators Kidani, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 186-22 on H.B. No. 2000**

The purpose of this measure is to appropriate funds to the School Facilities Authority for the construction of preschool facilities.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation of \$200,000,000 to the School Facilities Authority;
- (2) Clarifying that the appropriation is to expand access to pre-kindergarten to eligible children of the State;
- (3) Clarifying the purposes for which the School Facilities Authority may expend the funds;
- (4) Providing that the appropriation shall not lapse at the end of the fiscal biennium for which the appropriation is made and that all monies from the appropriation unencumbered as of June 30, 2024, shall lapse as of that date; and
- (5) 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 H.B. No. 2000, 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. 2000, H.D. 1, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Woodson, Eli, Kapela, and Okimoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

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

#### **Conf. Com. Rep. 187-22 on S.B. No. 2370**

The purpose of this measure is to:

- (1) Establish the Office on Homelessness and Housing Solutions to be administratively attached to the Department of Human Services, and headed by the Governor's Coordinator on Homelessness; and
- (2) Appropriate funds for the administration of the Office on Homelessness and Housing Solutions, including funding for full-time equivalent positions.

Your Committee on Conference finds that homelessness is a long-term problem that requires a long-term commitment to resolve. Your Committee on Conference finds, however, that the positions of the Governor's Coordinator on Homelessness and his staff are currently funded as part of a special project under the Department of Human Services that lapse every two years unless renewed. This measure commits the State to resolving its growing homelessness problem by establishing a permanent Office on Homelessness and Housing Solutions to be headed by the Governor's Coordinator on Homelessness; and by converting the temporary status of the Coordinator and his staff's positions into permanent ones before they lapse.

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

- (1) Deleting the provision requiring each state agency that administers public lands to provide the Governor's Coordinator on Homelessness with an inventory identifying any available vacant public lands under the jurisdiction of that agency;
- (2) Deleting from the content of the Governor's Coordinator on Homelessness's annual report, the inventory of available vacant public lands provided by each state agency that administers public lands;
- (3) Inserting an appropriation amount of \$50,000;
- (4) Establishing five full-time equivalent (5.0 FTE) positions to carry out the objectives of the Office on Homelessness and Housing Solutions;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making it effective upon approval; provided that section 5 shall take effect on July 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. 2370, 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. 2370, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Yamane, Ilagan, Hashimoto, and McDermott.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (McDermott).

Senators San Buenaventura, Moriwaki, Kanuha, Ihara, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (Fevella).

#### **Conf. Com. Rep. 188-22 on S.B. No. 1137**

The purpose of this measure is to increase the amount of unencumbered and unexpended moneys that the Spouse and Child Abuse Special Fund can retain.

Your Committee on Conference finds that the Spouse and Child Abuse Special Fund is a fund administered and expended by the Department of Human Services to support or provide spouse or child abuse intervention and prevention. Your Committee on Conference also finds that the Family First Prevention Services Act of 2018, P.L. 15-123, added a mechanism for states to claim reimbursement through Title IV-E of the Social Security Act for a percentage of state funds spent on certain child abuse and neglect prevention services, and the Department of Human Services anticipates that it will soon be able to begin drawing down certain federal reimbursement moneys. Your Committee on Conference finds however, that existing law requires all unencumbered and unexpended moneys in the Spouse and Child Abuse Special Fund in excess of \$3,000,000 to lapse to the general fund. This measure will increase this cap amount to ensure that the federal reimbursements received will remain in the Spouse and Child Special Fund until they may be used 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 on Conference has amended this measure by:

- (1) Inserting an amount of \$5,000,000 as the amount of unencumbered and unexpended moneys the Spouse and Child Abuse Special Fund can retain;
- (2) Making it effective upon its approval and inserting a sunset date of June 30, 2027; 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. 1137, 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. 1137, S.D. 2, H.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, 4. Noes, none. Excused, none.

Senators San Buenaventura, Inouye, Misalucha, and Fevella.  
Managers on the part of the Senate.

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

**Conf. Com. Rep. 189-22 on S.B. No. 2378**

The purpose of this measure is to make various amendments related to the Taxation Board of Review, including:

- (1) Reducing the membership from ten volunteer members to three full-time, salaried members, with at least two members required for quorum;
- (2) Authorizing members to validate the Board's actions with a concurrence of the majority;
- (3) Establishing a compensation schedule for board members with compensation based on a percentage of the Director of Taxation's salary;
- (4) Clarifying that Board meetings are contested case hearings and specifying notice requirements;
- (5) Clarifying the legal and evidentiary framework the Board must use in reaching its decisions; and
- (6) Appropriating funds for Board members and staff.

Your Committee on Conference finds that existing law does not require the Chairperson of the Taxation Board of Review to have litigation or public accounting experience. Your Committee on Conference further finds that these skills are necessary to ensure competent and fair tax appeals prosecution and resolution. Your Committee on Conference additionally finds that the Department of Taxation has a significant backlog of appeals. Accordingly, this measure promotes the fair and expeditious resolution of tax issues and appeals by requiring the Chairperson to be either a state-licensed attorney or Certified Public Accountant and compensating members of the Taxation Board of Review appropriately.

Your Committee on Conference has amended this measure by:

- (1) Setting the salaries of the Chairperson and members of the Board;
- (2) Inserting an appropriation amount of \$518,542;
- (3) Making it effective upon its approval; provided that section 1 shall take effect on July 1, 2023, and section 5 shall take effect on July 1, 2022; 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. 2378, 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. 2378, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Nakashima, Holt, D. Kobayashi, and Okimoto.

Managers on the part of the House.

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

Senators Moriwaki, Kanuha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 190-22 on S.B. No. 2379**

The purpose of this measure is to authorize the Special Enforcement Section of the Department of Taxation to:

- (1) Examine any sector of the State's economy;
- (2) Initiate civil investigations to ensure proper payment of all taxes due;
- (3) Use enforcement and education to deter and prevent non-compliance with state taxation laws; and
- (4) Refer and recommend cases or examinations of segments of the economy to Department of Taxation auditors.

Your Committee on Conference finds that the duties of the Special Enforcement Section need to be updated to reflect current policies and practices of the Department of Taxation. Accordingly, this measure promotes the Department of Taxation's efforts to ensure compliance with tax law by expanding the Special Enforcement Section's purview to authorize examination of all sectors of the economy and by codifying additional responsibilities of the division.

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. 2379, 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. 2379, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Holt, D. Kobayashi, and Okimoto.

Managers on the part of the House.

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

Senators Moriwaki, Kanuha, Rhoads, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 191-22 on S.B. No. 2384**

The purpose of this measure is to:

- (1) Amend the procurement preference for Hawaii products to only apply to agricultural goods, value-added products, and commodities; and
- (2) Require the Department of Accounting and General Services to provide written notice to offerors listed on the Hawaii products list regarding any amendments to the list, including effective dates and dates of repeal.

Your Committee on Conference finds that the preference for Hawaii products was established to encourage the use of Hawaii products by bidders to support local industries. Your Committee on Conference further finds that this incentive no longer retains its utility and instead, increases costs and delays in the



procurement process. Your Committee on Conference further finds, however, that the preference should remain in effect for agricultural goods, value-added products, and commodities. Accordingly, this measure streamlines the procurement process and furthers the State's food production and sustainability goals by narrowing the scope of the Hawaii products preference.

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. 2384, 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. 2384, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Kitagawa, Wildberger, Costales, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Kim, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 192-22 on S.B. No. 2387**

The purpose of this measure is to require agencies to publicly post the justification for cancelling an invitation for bids or request for proposals, for a minimum of ten business days, on a purchasing agency's website, government electronic notification system, or by any other means the procurement officer deems effective for publicizing the cancellation notice.

Your Committee on Conference finds that offerors devote considerable time and resources to prepare bids and proposals for public contracts. Your Committee on Conference therefore finds that potential vendors have the right to know the reason or reasons that a purchasing agency has cancelled a contract solicitation. Accordingly, this measure ensures offerors are duly notified of the reason or reasons for cancellation by requiring agencies to publicly post the same.

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. 2387, 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. 2387, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Kitagawa, Wildberger, Costales, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Kanuha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 193-22 on S.B. No. 3040**

The purpose of this measure is to:

- (1) Create a State Procurement Automation System Special Fund;
- (2) Authorize the Administrator of the State Procurement Office to develop and administer procurement automation systems and charge and collect a transaction fee from all vendors using the procurement automation systems;
- (3) Delete language regarding qualified community rehabilitation programs made redundant by Act 55, Session Laws of Hawaii 2021; and
- (4) Establish five full-time equivalent positions in the State Procurement Office.

Your Committee on Conference finds that the State Procurement Office seeks to transition to an online procurement automation system to align with industry standards. Your Committee on Conference further finds that establishing procurement automation systems in Hawaii will maximize the administrative efficiency and resources of the State Procurement Office. Your Committee on Conference also finds that funding for additional positions will aid in the management of procurement automation systems. Accordingly, this measure will improve procurement in Hawaii by authorizing the establishment of procurement automation systems.

Your Committee on Conference has amended this measure by:

- (1) Removing the establishment of the State Procurement Automation System Special Fund;
- (2) Inserting language to allow the State Procurement Office to plan and develop methods to assess, charge, and collect a transaction fee;
- (3) Deleting language authorizing the assessment of transaction fees;
- (4) Inserting an appropriation amount of \$150,000;
- (5) Reducing the number of positions established from four to two and clarifying the responsibilities of those positions;
- (6) Amending section 1 to reflect its amended purpose;
- (7) Inserting an effective date of July 1, 2022; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3040, 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. 3040, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Johanson, Wildberger, Costales, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.

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

**Conf. Com. Rep. 194-22 on S.B. No. 3282**

The purpose of this measure is to:

- (1) Authorize the Comptroller to mandate the transfer of post-statehood governmental records to the State Records Center and the time period at which the records should be transferred; and
- (2) Appropriate funds to the Office of Enterprise Technology Services for operating costs and equipment to administer the State Records Center and for positions within the State Archives to assist agencies in the identification and transfer of certain government records to the State Archives.

Your Committee on Conference finds that certain records are required by law to be maintained by state departments and agencies. Your Committee on Conference finds, however, that there is a lack of understanding amongst state employees regarding records retention requirements. Accordingly, this measure promotes sound and legally compliant records retention practices by providing clear and uniform instructions regarding when non-permanent records should be sent to the State Records Center for storage and eventual destruction, and when permanent records should be transferred to the State Archives for long-term preservation and public access.

Your Committee on Conference has amended this measure by:

- (1) Inserting in section 3 an appropriation amount of \$303,000 and clarifying the department to receive the funds and the allowable uses of the appropriated funds, which includes \$118,000 for the establishment of two full-time (2.0 FTE) positions to assist in the digitization of government records;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Inserting an effective date of 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. 3282, 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. 3282, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Nakashima, Wildberger, Costales, and Ward.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.  
Senators Moriwaki, Kidani, Kanuha, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 195-22 on S.B. No. 3284**

The purpose of this measure is to establish a Technology Services Consolidation Working Group to:

- (1) Develop a plan for the phased consolidation of all state Executive Branch information technology services and staff within five years, except those of the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs, under the Office of Enterprise Technology Services; and
- (2) Recommend ways to attract high-quality information technology professionals to Hawaii.

Your Committee on Conference finds that all state departments use information technology services to fulfill their duties and responsibilities. Your Committee on Conference further finds that the consolidation of information technology services can promote economies of scale and provide for a more efficient and secure use of technology and information management. Accordingly, this measure promotes efficient and effective government operations by establishing a Technology Services Consolidation Working Group to develop a sound consolidation plan and recommend ways to attract high quality professionals in this field.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the required content of the phased consolidation plan;
- (2) Requiring a preliminary status report to the Legislature;
- (3) Amending the date for the submission of the working group's final report;
- (4) Amending the dissolution date of the working group;
- (5) Making it effective upon its approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3284, 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. 3284, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Takayama, Johanson, Todd, Kapela, and Okimoto.  
Managers on the part of the House.  
Ayes, 5. Noes, none. Excused, none.  
Senators Moriwaki, Kidani, Kanuha, and Fevella.  
Managers on the part of the Senate.

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

**Conf. Com. Rep. 196-22 on S.B. No. 3324**

The purpose of this measure is to:

- (1) Establish a working group to examine and address the problem of infrastructure repair and maintenance in planned housing subdivisions that do not have compulsory homeowner associations in counties with populations greater than one hundred seventy thousand but less than three hundred thousand; and
- (2) Appropriate funds for the working group, subject to the availability of matching county funds.

Your Committee on Conference finds that there is a lack of guidance for planned housing subdivisions without compulsory homeowners or community associations regarding obligations for subdivision infrastructure repair and maintenance. Your Committee on Conference further finds that homeowners in these subdivisions need a way to organize and collect fees required for repairs and maintenance. Accordingly, this measure establishes a working group to investigate and recommend solutions for this problem.

Your Committee on Conference has amended this measure by:

- (1) Clarifying the member composition and selection procedure for the working group;
- (2) Clarifying the duties of the working group;
- (3) Authorizing the working group to convene remotely;
- (4) Inserting an appropriation amount of \$100,000;
- (5) Removing the matching funds limitation from the appropriation;
- (6) Making section 3 effective on July 1, 2022, and the remainder of the Act 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. 3324, 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. 3324, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakamura, Matayoshi, Ilagan, Hashimoto, and McDermott.

Managers on the part of the House.

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

Senators Moriwaki, Lee, Keohokalole, Kidani, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 197-22 on S.B. No. 3369**

The purpose of this measure is to:

- (1) Establish a working group to develop a plan for the phased in consolidation of procurement services and staff within executive branch agencies over a five-year timespan, excluding the Department of Education, Hawaii Health Systems Corporation, University of Hawaii, and Office of Hawaiian Affairs;
- (2) Require the working group to make recommendations for attracting high-quality procurement professionals to the State; and
- (3) Appropriate funds to the State Procurement Office to support the activities of the working group.

Your Committee on Conference finds that procurement activities in the State may not be in strict compliance with applicable law. Your Committee on Conference further finds that few executive branch departments have dedicated procurement personnel. This can lead to mistakes that result in increased costs to the government. Accordingly, this measure promotes competency and expertise, efficiency, and transparency in the public procurement process by establishing a working group to study and develop a responsible plan for the phased consolidation of certain executive branch procurement services and staff.

Your Committee on Conference has amended this measure by:

- (1) Removing the exemption of the Department of Education from the consolidation plan;
- (2) Clarifying the composition and duties of the working group;
- (3) Inserting an appropriation amount of \$250,000 and clarifying the allowable uses of the appropriated funds;
- (4) Amending section 1 to reflect its amended purpose; and
- (5) Inserting an effective date of 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. 3369, 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. 3369, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives McKelvey, Johanson, Wildberger, Costales, and Ward.

Managers on the part of the House.

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

Senators Moriwaki, Wakai, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 198-22 on S.B. No. 2511**

The purpose of this measure is to:

- (1) Expand the renewable energy technologies income tax credit to include firm renewable energy systems, with the credit capped at the lesser of an unspecified percentage of the actual cost or \$750,000 per system; and
- (2) Make the renewable energy technologies income tax credit unavailable for renewable energy technology systems installed and placed in service after December 31, 2045.

Your Committee on Conference finds that expanding the renewable energy technologies income tax credit to include firm renewable energy systems and long-duration renewable energy storage systems would help the State not only achieve its clean energy and carbon reduction goals, but also improve the State's energy diversity, reliability, and stability. Your Committee on Conference further finds that the development of more firm renewable energy generation based on local resources would also promote economic development and increase employment within the State.

Your Committee on Conference has amended this measure by reverting its contents to the S.D. 2 version and further amending it by:

- (1) Clarifying the definition of "firm renewable energy systems" to include capability of continuous production twenty-four hours per day, three hundred sixty-five days per year, on the demand of the energy system operator at its rated capacity, subject only to routine maintenance and repairs;
- (2) Capping the renewable energy technologies income tax credit at the lesser of twenty percent of the actual cost or \$750,000 per firm renewable energy system;
- (3) Defining "long-duration renewable energy storage systems";
- (4) Expanding the renewable energy technologies income tax credit to include long-duration renewable energy storage systems, with the credit capped at the lesser of twenty percent of the actual cost or \$750,000 per system;
- (5) Capping the total amount of renewable energy technologies income tax credits claimed by an eligible taxpayer for a firm renewable energy system or a long-duration renewable energy system at \$3,500,000 in any calendar year;
- (6) Capping the total amount of renewable energy technologies income tax credits claimed by all eligible taxpayers for firm renewable energy systems and long-duration renewable energy systems at \$20,000,000 in any calendar year;
- (7) Requiring that if the cap on the total amount of renewable energy technologies income tax credits allowed for firm renewable energy systems and long-duration renewable energy systems is exceeded in any given calendar year, the \$20,000,000 cap shall be divided between all eligible taxpayers for that year in proportion to their rated capacities;
- (8) Making it effective upon its approval, and apply to taxable years beginning after December 31, 2021; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2511, 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. 2511, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Marten, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Kidani, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 199-22 on S.B. No. 3195**

The purpose of this measure is to appropriate funds to the Department of Hawaiian Home Lands for the investigation, exploration, and identification of geothermal resources on Hawaiian home lands.

Your Committee on Conference finds that geothermal resources on Hawaiian home lands can be used for the generation, transmission, and production of electricity. This measure provides initial funding for the investigation, exploration, and identification of these resources.

Your Committee on Conference has amended this measure by inserting an appropriation amount of \$500,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3195, 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. 3195, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Nakashima, Marten, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Shimabukuro, Wakai, Kanuha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 200-22 on S.B. No. 3357**

The purpose of this measure is to require certain departments and agencies to provide grants to tax-exempt nonprofit organizations that have experience and expertise in supporting and advancing Native Hawaiian communities.

Your Committee on Conference finds that food sustainability, economic development, mitigation of tourism impacts, cultural training, repatriation and reburial of Native Hawaiians, historic preservation, as well as other important cultural tasks need further funding. This measure provides grants to relevant organizations.

Your Committee on Conference has amended this measure by:

- (1) Broadening the requirements for qualifying for the grant;
- (2) Removing the Department of Agriculture and the Department of Labor and Industrial Relations from the appropriation; and
- (3) Inserting an appropriation of \$2,000,000, with \$1,500,000 allocated to the Department of Business, Economic Development, and Tourism, and a \$500,000 allocated to the Department of Land and Natural Resources.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3357, 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. 3357, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Nishimoto, Eli, Holt, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Keohokalole, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 201-22 on S.B. No. 2720**

The purpose of this measure is to:

- (1) Allow new electric vehicle charging stations and certain upgrades having a single port to qualify for a rebate;
- (2) Remove the \$500,000 cap on the electric vehicle charging station rebate program;
- (3) Specify that no rebates shall be approved after available funds are exhausted for the fiscal year;
- (4) Increase the percentage of funds that the Public Utilities Commission may use for administration of the rebate program;
- (5) Allow for marketing and outreach expenses to be included within allowable administration costs of the electric vehicle charging station rebate program; and
- (6) Appropriate funds out of the electric vehicle charging system subaccount for the electric vehicle charging system rebate program.

Your Committee on Conference finds that climate change caused by carbon emissions is a problem with serious environmental, economic, and health ramifications. Electric vehicles are an efficient method of transportation which both helps to mitigate the climate change problem and reduce the cost of transportation for the driver, especially through a decreased reliance on expensive fossil fuels. This measure's purpose is to encourage the installation of more electric vehicle charging stations.

Your Committee on Conference has amended this measure by:

- (1) Inserting \$2,000 and \$1,300 as the maximum rebate amounts for the installation and upgrade of an electric vehicle charging system, respectively;
- (2) Limiting the amount of rebate program moneys authorized to be used for administrative purposes to fifteen percent and clarifying that expenditures not related to marketing or outreach expenses shall not exceed ten percent;
- (3) Removing section 5 and its appropriations;
- (4) Amending Act 75, Session Laws of Hawaii 2021, to appropriate \$500,000 and to clarify that moneys appropriated in Act 75, section 5, Session Laws of Hawaii 2021, will not lapse at the end of the fiscal year and instead, all unexpended funds will lapse as of June 30, 2024;
- (5) Appropriating \$1,000,000 out of the electric vehicle charging system subaccount for the electric vehicle charging system rebate program;
- (6) Inserting an effective date of June 30, 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. 2720, 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. 2720, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, Tam, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Baker, Wakai, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 202-22 on H.B. No. 2424**

The purpose of this measure is to:

- (1) Expand the investigative powers of the Department of Human Services to include review and investigation of families receiving benefits from the State's adoption assistance program and against whom a post-adoption complaint has been made;
- (2) Require the Department of Human Services to report to the Legislature before the convening of the Regular Session of 2024 on the impact of expanding post-permanency services to families receiving benefits from the adoption assistance program; and
- (3) Appropriate funds for the procurement of contracted services to provide additional support, resources, and monitoring of families receiving benefits from the State's adoption assistance program.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which:
  - (A) Expands the investigative power of the Department of Human Services to include inspections of families who have adopted or received legal guardianship of a child for whom maintenance is provided pursuant to the Social Security Act or through the State's Adoption Assistance Program, including adoptive families where an adoption decree is pending or where an adoption decree has been issued but adoption has not yet taken place, or who are receiving financial assistance through the State's Permanency Assistance Program, and against whom a complaint has been lodged with the Department of Human Services at any time;
  - (B) Requires the Department of Human Services to analyze and report to the Legislature on the impact of expanding home visits to families receiving adoption assistance or legal guardianship assistance payments no later than twenty days prior to the Regular Session of 2027; and
  - (C) Appropriates funds for additional case worker and support staff positions and increased compensation for existing child welfare services case worker positions; and
- (2) Further amending this measure by:
  - (A) Clarifying that the Department of Human Services' review or investigation of families receiving benefits pursuant to the Social Security Act or through the State's Adoption Assistance Program, or are receiving financial assistance through the State's Permanency Assistance Program and against whom a complaint has been lodged shall be in accordance with chapters 350 and 587A, Hawaii Revised Statutes;
  - (B) Requiring the Department of Human Services to submit its report to the Legislature prior to the Regular Session of 2024, rather than 2027;
  - (C) Establishing the Malama Ohana Working Group to seek, design, and recommend transformative changes to the State's existing child welfare system and requiring the Working Group to report to the Legislature prior to the Regular Session of 2024;
  - (D) Authorizing the Department of Human Services to contract with an administrative facilitator to provide support to the Working Group, including preparation of the report; and
  - (E) Inserting an appropriation amount of \$8,000,000 to increase the procurement of contracted services to provide additional support, resources, and monitoring of families receiving benefits from the State's Adoption Assistance Program and Permanency Assistance Program and earmarking \$3,350,000 of the appropriation for:
    - (i) Developing and maintaining necessary information technology systems, including two full-time positions;
    - (ii) Increasing compensation for existing Child Welfare Services Branch positions to fill vacancies and retain employees;
    - (iii) Contracting with a third party for enhanced permanency support services;
    - (iv) Establishing one full-time equivalent planner or project specialist position to administer and monitor additional service contracts and assist with service coordination, data collection, and analysis of the new program; and
    - (v) Supporting the Malama Ohana Working Group in its activities;
  - (F) Changing its effective date to upon approval; provided that the appropriation section shall take effect on July 1, 2022; and
  - (G) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee on Conference notes that although \$3,350,000 of the appropriation made by this measure has been earmarked for specific purposes, the intent of the Legislature is to use the remainder of the monies from this appropriation to support all those involved in the child welfare services system, not just those involved in adoption or guardianship settings. Your Committee on Conference believes that these additional funds could be used for recruitment and scholarships for child welfare Services social workers, programs for parents, and training for investigators and reporters to ensure that any reported case of child abuse or neglect is properly investigated and pursued.

As affirmed by the record of votes of the managers 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. 2424, 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. 2424, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Marten, Gates, Tam, and Ward.

Managers on the part of the House.

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

Senators San Buenaventura, Kanuha, Rhoads, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 203-22 on H.B. No. 2405**

The purpose of this measure is to:

- (1) Prohibit the denial of a treatment or service on the basis that it is cosmetic or not medically necessary unless a health care provider with experience in prescribing or delivering gender affirming treatment reviews and confirms the adverse benefit determination;
- (2) Prohibit health insurers, mutual benefit societies, and health maintenance organizations from applying categorical cosmetic or blanket exclusions to gender affirming treatments or procedures when prescribed as medically necessary; and
- (3) Require health insurers, mutual benefit societies, and health maintenance organizations to provide applicants and insured persons with clear information about the coverage of gender transition services, including the process for appealing a claim denied on the basis of medical necessity.

Your Committee on Conference has amended this measure by:

- (1) Requiring that the medical necessity of any gender affirming treatment to be defined in accordance with applicable law;
- (2) Amending the process for determining an appeal for a claim denied on the basis of medical necessity;
- (3) Clarifying that the prohibition against health insurers, mutual benefit societies, and health maintenance organizations applying categorical or blanket exclusions applies to gender affirming treatments that are determined to be medically necessary pursuant to applicable law;
- (4) Removing smoking cessation therapies as a gender affirming treatment;

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

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2405, 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. 2405, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Tam, Kitagawa, and Okimoto.

Managers on the part of the House.

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

Senators Baker, Rhoads, Taniguchi, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 204-22 on H.B. No. 1980**

The purpose of this measure is to:

- (1) Require Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover services provided through telehealth, including by way of an interactive telecommunications system; and
- (2) Define "interactive telecommunication system" to match the 2022 Medicare Physician Fee Schedule final rule.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 1 version, which:
  - (A) Permits, but does not require or prohibit, Medicaid, health insurers, mutual benefit societies, and health maintenance organizations to cover telephonic health services under certain conditions; and
  - (B) Clarifies that telephonic services do not constitute telehealth; and
- (2) Further amending this measure by:
  - (A) Changing its effective date to July 1, 2022; 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. 1980, 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. 1980, H.D. 2, S.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, Shimabukuro, Moriwaki, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 205-22 on H.B. No. 1893**

The purpose of this measure is to transfer the Daniel K. Akaka State Veterans Home to the Oahu Regional Health Care System no later than June 30, 2023.

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. 1893, 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. 1893, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Johanson, Tam, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Nishihara, Moriwaki, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 206-22 on S.B. No. 3158**

The purpose of this measure is to:

- (1) Establish the electric bicycle and electric moped rebate program and subaccount to encourage the purchase and use of electric bicycles and electric mopeds; and
- (2) Allocate a portion of the barrel tax to fund the rebate program.

Your Committee on Conference finds that electric bicycles and electric mopeds support the Department of Transportation's zero emissions goals while also lowering the cost of transportation for drivers, and reduces the State's reliance on fossil fuels. However, the initial cost of purchasing an electric vehicle can be prohibitive. This measure creates a subsidy to help encourage the purchase and use of electric bicycles and electric mopeds.

Your Committee on Conference has amended this measure by:

- (1) Setting the rebate at the lower of twenty percent of the retail cost or \$500, and clarifying that no individual shall receive more than \$500 rebate per fiscal year;
- (2) Setting the total amount of rebates authorized to be issued each year at \$700,000;
- (3) Authorizing the Department of Transportation to allow for applicants to apply for the rebate and receive future rebates if there are not sufficient funds to pay that rebate during the fiscal year in which the rebate was applied;
- (4) Adding additional requirements of what information the Department of Transportation must collect for rebate eligibility;
- (5) Clarifying that the rebates are only available for qualified new electric bicycles and new electric mopeds purchased at a retail store after July 1, 2022;
- (6) Clarifying eligibility requirements for the rebate program;
- (7) Removing the barrel tax allocation;
- (8) Inserting an appropriation of \$2,100,000 for the rebate program;
- (9) Amending section 1 to reflect its amended purpose;
- (10) Changing the effective date to July 1, 2022; and
- (11) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3158, 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. 3158, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Ilagan, Clark, D. Kobayashi, Takumi, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Inouye, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 207-22 on S.B. No. 3111**

The purpose of this measure is to:

- (1) Establish a five-year Family Resource Centers Pilot Program within the Department of Human Services;
- (2) Establish one full-time equivalent (1.0 FTE) Family Resource Centers Coordinator position within the Department of Human Services; and
- (3) Appropriate an unspecified amount of funds for the establishment of the Family Resource Centers Pilot Program, one full-time equivalent (1.0 FTE) Family Resource Centers Coordinator position, and expenses related to the development and implementation of a statewide network of family resource centers.

Your Committee on Conference finds that family resource centers play a critical role in preventing child abuse and neglect, strengthening children and families, connecting family-impacting agencies and programs, creating opportunities for community-level coordination, creating connections to resources and support systems, and increasing family engagement, which all lead to greater student success in school. Communities with family resource centers show lower rates of child abuse and neglect investigations, lower numbers of children entering foster care, and an increase in parents or custodians gaining employment within one year after participating in services provided through the centers. This measure establishes a five-year Family Resource Centers Pilot Program, that will allow the Departments of Human Services, Education, and Health to provide coordinated family-impacting services designed to meet the needs, cultures, and interests of communities served by family resource centers.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$300,000;
- (2) Amending section 1 to clarify its purpose;
- (3) Inserting an effective date of July 1, 2022, and a repeal date of June 30, 2027; 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. 3111, 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. 3111, S.D. 2, H.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 San Buenaventura, Shimabukuro, Acasio, and Fevella.

Managers on the part of the Senate.

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



**Conf. Com. Rep. 208-22 on S.B. No. 3272**

The purpose of this measure is to require the Director of Transportation to adopt rules to require tour aircraft operations to report details of each flight taken by the tour aircraft operation monthly.

Your Committee on Conference finds that the noise from low-flying aircrafts over residential areas can cause health issues and negatively impact quality of life. Due to increasing concerns, this measure requires tour aircraft operations to file reports so that the State can monitor their compliance with federal regulations.

Your Committee on Conference has amended this measure by:

- (1) Inserting language to establish the Air Noise and Safety Task Force;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3272, 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. 3272, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Aquino, Johanson, Ilagan, Clark, Takumi, and Matsumoto.

Managers on the part of the House.

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

Senators Lee, Baker, Inouye, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 209-22 on H.B. No. 1600**

The purpose of this measure is to appropriate supplemental funds for the operating costs of the executive branch for the fiscal biennium beginning July 1, 2021, and ending June 30, 2023.

Your Committee on Conference has approved a Conference Draft of the executive budget that appropriates \$15,719,399,902 in all funds, inclusive of \$7,427,150,769 in general funds, for fiscal year 2021-2022 and \$16,979,432,863 in all funds, inclusive of \$8,729,630,979 in general funds, for fiscal year 2022-2023.

	Fiscal Year 2021-2022		Fiscal Year 2022-2023	
	All Funds	General Funds	All Funds	General Funds
Executive Budget Act 88, SLH 2021	15,740,768,928	7,424,917,404	15,106,494,229	7,501,192,761
Net Change	-21,369,026	2,233,365	1,872,938,634	1,228,438,218
Total Appropriation	15,719,399,902	7,427,150,769	16,979,432,863	8,729,630,979

As affirmed by the record of votes of the managers 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. 1600, 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. 1600, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Branco, Eli, Holt, Ilagan, B. Kobayashi, Marten, Nishimoto, Perruso, Sayama, Tam, Todd, Wildberger, Yamashita, and McDermott.

Managers on the part of the House.

Ayes, 13. Noes, 1 (Wildberger). Excused, 1 (Sayama).

Senators Dela Cruz, Keith-Agaran, Inouye, Kanuha, Kidani, Misalucha, Moriwaki, Shimabukuro, Taniguchi, Wakai, and Fevella.

Managers on the part of the Senate.

Ayes, 11. Noes, none. Excused, none.

**Conf. Com. Rep. 210-22 on H.B. No. 1540**

The purpose of this measure is to authorize the issuance of general obligation bonds and to make the constitutionally-required findings that the bond issuance will not cause the state debt limit to be exceeded.

Your Committee on Conference finds that article VII, section 13, of the Constitution of the State of Hawaii requires the Legislature to include a declaration of findings in every general law authorizing the issuance of general obligation bonds, which shall declare that the issuance of state bonds authorized will not cause the debt limit to be exceeded at the time of issuance. Your Committee on Conference further finds that the proceeds generated from the general obligation bonds authorized to be issued under this measure will be used to finance the fulfillment of important state objectives.

Your Committee on Conference has amended this measure by:

- (1) Inserting the appropriate dollar amounts throughout the measure as provided by the Department of Budget and Finance;
- (2) Updating the dates and measure numbers cited in the measure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1540, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1540, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Yamashita, and McDermott.

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

Senators Dela Cruz, Kanuha, Keith-Agaran, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 211-22 on S.B. No. 2695**

The purpose of this measure is to establish a Blockchain and Cryptocurrency Task Force.

Your Committee on Conference finds that despite the emerging growth and popularity of blockchain technology and cryptocurrency, Hawaii has yet to determine whether or how to regulate the digital currency industry in the State. Your Committee on Conference further finds that the adoption of this rapidly evolving technology requires an educated and thorough approach so that its implementation does not impede further innovation and growth, whether in public sector or private industry operations. Your Committee on Conference notes that this measure is intended to support continued e-commerce activity in the State through appropriate consumer protection and oversight mechanisms.

Your Committee on Conference has amended this measure by:

- (1) Amending the list of required members of the task force by:
  - (A) Adding the Director of Commerce and Consumer Affairs or their designee;
  - (B) Removing the member representing a Hawaii-based company with a focus on non-traditional blockchains;
  - (C) Changing the appointing authority of the member that represents:
    - (i) A Hawaii-based bank or financial institution from the Governor to the Speaker of the House of Representatives;
    - (ii) A Hawaii-based cryptocurrency exchange from the Governor to the President of the Senate;
    - (iii) A representative of a company with a business model that uses blockchain for non-cryptocurrency transaction purposes from the Governor to the Speaker of the House of Representatives; and
    - (iv) A representative of a blockchain or cryptocurrency association from the Governor to the President of the Senate;
  - (D) Removing the requirement that representation from a blockchain payments solution company be from a Hawaii-based company; and
  - (E) Amending the specialization of the member who is a professor from the University of Hawaii from blockchain to digital currency;
- (2) Requiring the task force to:
  - (A) Recommend appropriate licensure requirements and a regulatory framework for this new evolving industry;
  - (B) Observe and monitor the past and current activities of the Hawaii Digital Currency Innovation Lab (DCIL), a "sandbox" program conducted by Department of Commerce and Consumer Affairs' Division of Financial Institutions and Hawaii Technology Development Corporation;
  - (C) Analyze how the current framework of the Hawaii DCIL fits into the State's financial environment; and
  - (D) Consider aspects of the Hawaii DCIL that may be effective and practical in the implementation of the recommended regulatory framework;
- (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. 2695, 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. 2695, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Johanson, Todd, Kitagawa, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, none.

Senators Misalucha, Baker, Keith-Agaran, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 212-22 on S.B. No. 2700**

The purpose of this measure is to:

- (1) Require the staff of licensed and registered early childhood programs to annually provide specific information to the Department of Human Services' Early Childhood Workforce Registry;
- (2) Require a report to the legislature; and
- (3) Appropriate funds.

Your Committee on Conference finds that the demand for quality early child care and education greatly exceeds the supply of qualified child care workers and educators in the State. However, to enact effective legislation or programs to increase the number of child care workers and educators available, more data is required to understand the needs of the workforce. This measure ensures policymakers have adequate and timely data on the State's early child care and education workforce by requiring the Department of Human Services to collect data from all early child care workers and educators in the State.

Your Committee on Conference has amended this measure by:

- (1) Authorizing, rather than requiring, the Department of Human Services to require that all staff used to meet the staff-child ratio in licensed and registered child care programs annually update their information in the Early Childhood Registry;
- (2) Authorizing, rather than requiring, data collected from the Early Childhood Registry to include certain social determinants;

- (3) Exempting procurements made pursuant to the measure from the requirements of chapters 103D and 103F, Hawaii Revised Statutes;
- (4) Removing the appropriation section;
- (5) Inserting an effective date of July 1, 2022; 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. 2700, 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. 2700, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Gates, and Ward.

Managers on the part of the House.

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

Senators Misalucha, Shimabukuro, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 213-22 on S.B. No. 3110**

The purpose of this measure is to:

- (1) Rename the Preschool Grant Program Special Fund as the Child Care Grant Program Special Fund;
- (2) Authorize the Child Care Grant Program Special Fund to be used to give grants to child care facilities;
- (3) Change the legislative report due date for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund; and
- (4) Remove the authority to expend moneys without an appropriation for the Preschool Open Doors Special Fund and Child Care Grant Program Special Fund statutes to conform to state constitutional provisions.

Your Committee on Conference finds that well-supported, regulated child care facilities keep children safe and provide parents the ability to pursue or maintain employment and educational activities. This measure authorizes the Department of Human Services to provide grants to child care facilities beyond those eligible for the Preschool Open Doors Program, which will support parents and caregivers by ensuring the State's child care facilities can continue to provide access to safe and qualified child care.

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. 3110, 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. 3110, S.D. 2, H.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 Misalucha, Kidani, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 214-22 on S.B. No. 3294**

The purpose of this measure is to appropriate funding for reentry planning circles to provide transitional support for female offenders leaving prison.

Your Committee on Conference finds that incarcerated individuals who participate in reentry planning circles before leaving prison have significantly lower recidivism rates. This measure will allow a greater number of inmates to participate in reentry planning circles allowing the inmates, their families, and prison staff to discuss and develop written transition plans to obtain housing, employment, and other necessities after their release from incarceration.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$200,000 for the purpose of funding reentry planning circles for incarcerated individuals, regardless of sex or gender;
- (2) Inserting an effective date of July 1, 2022; 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. 3294, 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. 3294, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Ganaden, Ichiyama, B. Kobayashi, Kong, and Matsumoto.

Managers on the part of the House.

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

Senators San Buenaventura, Nishihara, Kidani, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 215-22 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 on Conference finds that Act 116, Session Laws of Hawaii 2017, (Act 116) authorized the issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc. with the expansion of its coffee farm and mill in Puukolii, Maui. Pursuant to Act 116, the authorization for the issuance of special purpose revenue bonds to assist MauiGrown Coffee, Inc. will lapse on June 30, 2022. This measure extends the authorization to issue special purpose revenue bonds to assist MauiGrown Coffee, Inc.

Your Committee on Conference has amended this measure by:

- (1) Inserting a special purpose revenue bonds authorization lapse date of June 30, 2025; and
- (2) Inserting an effective date of 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. 1297, 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. 1297, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 216-22 on S.B. No. 2070**

The purpose of this measure is to authorize the Department of Budget and Finance to issue special purpose revenue bonds to assist Hawaiian Legacy Reforestation Initiative, LLC, in its mission to proliferate a sustainable model of endemic reforestation, ecosystem revitalization, endangered species recovery, and carbon credit sequestering.

Your Committee on Conference finds that the issuance of special purpose revenue bonds to assist Hawaiian Legacy Reforestation Initiative, LLC, is in the public interest. With assistance, the Hawaii Legacy Reforestation Initiative, LLC, can contribute substantially to the State's sustainability goals. This measure authorizes the Department of Budget and Finance to issue special purpose revenue bonds to assist the Hawaiian Legacy Reforestation Initiative, LLC, to restore Hawaii's forests and natural resources.

Your Committee on Conference has amended this measure by authorizing the issuance of \$50,000,000 in special purpose revenue bonds.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2070, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2070, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Nakashima, Marten, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Keith-Agaran, Inouye, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 217-22 on S.B. No. 2218**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a five-year food hub pilot program to increase access to local food;
- (2) Provide for the award of grant funding to qualified applicants wishing to establish or expand a food hub or provide certain technical assistance;
- (3) Authorize the issuance of general obligation bonds for the Honalo Marshalling Yard;
- (4) Require reports to the Legislature; and
- (5) Appropriate funds.

Your Committee on Conference finds that food hubs can play an important role in the State's efforts to improve food security and self-sufficiency. Notably, food hubs facilitate the distribution of locally-sourced foods within the State. This measure requires the Department of Agriculture to establish a five-year food hub pilot program, authorizes the issuance of general obligation bonds for the Honalo Marshalling yard, and appropriates funds for the food hub pilot program.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$750,000;
- (2) Authorizing the issuance of \$750,000 in general obligation bonds; and
- (3) Inserting an effective date of 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. 2218, 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. 2218, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, and Matsumoto.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

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

**Conf. Com. Rep. 218-22 on S.B. No. 2284**

The purpose of this measure is to:

- (1) Establish provisions relating to the Department of Agriculture's governing of the business of aquaculture;
- (2) Grant exclusive property rights to persons who lawfully obtain the cultured progeny of wild plants and animals by brood stock acquisition;
- (3) Authorize the Department of Agriculture to regulate the transportation, purchase, possession, and sale of specific aquaculture products as may be necessary to protect indigenous species;
- (4) Require the Department of Agriculture to prepare programmatic environmental impact reports and acquire land for aquacultural purposes; and
- (5) Make appropriations.

Your Committee on Conference finds that aquaculture constitutes an important economic opportunity for the State. However, the current provisions regarding the Department of Agriculture's role in supporting aquaculture are insufficient. This measure establishes new provisions to promote effective governance regarding aquaculture in the State.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation; and
- (2) Inserting an effective date of 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. 2284, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2284, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Quinlan, Kitagawa, Perruso, Matayoshi, and Matsumoto.  
Managers on the part of the House.  
Ayes, 6. Noes, none. Excused, none.

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

**Conf. Com. Rep. 219-22 on S.B. No. 2621**

The purpose of this measure is to appropriate funds to the Department of Agriculture to establish bovine tuberculosis control operations on Molokai, including staff, land, and equipment.

Your Committee on Conference finds that bovine tuberculosis poses a significant threat to the State's cattle industry, particularly on the island of Molokai. To better combat the spread of bovine tuberculosis, the Department of Agriculture requires additional resources. This measure appropriates funds to the Department of Agriculture to establish bovine tuberculosis control operations on Molokai.

Your Committee on Conference has amended this measure by inserting an appropriation amount of \$500,000.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2621, 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. 2621, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, and Matsumoto.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, none.

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

**Conf. Com. Rep. 220-22 on S.B. No. 2989**

The purpose of this measure is to:

- (1) Require the Department of Agriculture to establish a Healthy Soils Program;
- (2) Establish a Healthy Soils Program Special Fund; and
- (3) Appropriate funds.

Your Committee on Conference finds that soil health is critical to Hawaii's agricultural industry. Additionally, soil carbon stocks can serve as an important source for carbon sequestration. This measure requires the Department of Agriculture to establish a Healthy Soils Program to help the State meet its sustainability goals.

Your Committee on Conference has amended this measure by:

- (1) Removing the establishment of a Healthy Soils Program Special Fund;

- (2) Inserting an appropriation amount of \$500,000; 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. 2989, 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. 2989, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Kanuha, Acasio, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 221-22 on S.B. No. 3004**

The purpose of this measure is to:

- (1) Establish and appropriate funds for a compost reimbursement program within the Department of Agriculture and for one full-time permanent compost reimbursement program manager position; and
- (2) Require an annual progress report to the Legislature prior to each regular session.

Your Committee on Conference finds that composting has significant environmental and social benefits, including for agricultural operations. Act 89, Session Laws of Hawaii 2018, established a three-year compost reimbursement pilot program that was then repealed on December 31, 2021. This measure establishes and appropriates funds for a compost reimbursement program to be administered by the Department of Agriculture.

Your Committee on Conference has amended this measure by:

- (1) Inserting a definition for "landscaping operation";
- (2) Inserting appropriation amounts of \$945,000 for the Compost Reimbursement Program and \$55,000 for one full-time equivalent (1.0 FTE) program manager position; and
- (3) Inserting an effective date of 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. 3004, 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. 3004, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Marten, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Keith-Agaran, Acasio, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 222-22 on S.B. No. 3197**

The purpose of this measure is to:

- (1) Establish a farmer apprentice mentoring program; and
- (2) Make an appropriation to the Department of Agriculture to establish and implement the program.

Your Committee on Conference finds that farming is essential to the State's agriculture goals, including greater food security and self-sufficiency. However, the State lacks the necessary programs to support beginning farmers. This measure establishes and appropriates funds for a farmer apprentice mentoring program to be administered by the Department of Agriculture.

Your Committee on Conference has amended this measure by:

- (1) Removing certain requirements for the Department of Agriculture regarding the farmer apprentice mentoring program;
- (2) Inserting an appropriation amount of \$300,000; and
- (3) Inserting an effective date of 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. 3197, 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. 3197, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Shimabukuro, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 223-22 on S.B. No. 3325**

The purpose of this measure is to:

- (1) Establish the Hawaii Carbon Smart Land Management Assistance Pilot Program to incentivize carbon sequestration activities through incentive contracts that provide compensation for eligible practices by program participants;
- (2) Repeal the Carbon Offset Program; and
- (3) Appropriate funds for positions and assistance.

Your Committee on Conference finds that carbon sequestration is an important tool for reducing the State's contribution to global greenhouse gas emissions. Incentivizing carbon sequestration can have numerous benefits for the State's sustainability goals. This measure establishes the Hawaii Carbon Smart Land Management Assistance Pilot Program to incentivize carbon sequestration activities.

Your Committee on Conference has amended this measure by:

- (1) Removing the appropriation;
- (2) Inserting an effective date of upon its approval; and
- (3) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3325, 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. 3325, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Gabbard, Wakai, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 224-22 on S.B. No. 3379**

The purpose of this measure is to appropriate funds for a ports-of-entry biosecurity program.

Your Committee on Conference finds that strengthening biosecurity at the State's ports-of-entry will offer many ecological and economic benefits to Hawaii. In its original form, this measure appropriated funds from funds appropriated to the Department of Land and Natural Resources native resources and fire protection programs to a ports-of-entry biosecurity program. Your Committee on Conference further finds that the Department of Agriculture is better suited to implement a ports-of-entry biosecurity program.

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

- (1) Inserting a general fund appropriation amount of \$525,000; and
- (2) Replacing the Department of Land and Natural Resources with the Department of Agriculture as the expending agency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3379, 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. 3379, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Yamashita, Hashem, and McDermott.

Managers on the part of the House.

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

Senators Gabbard, Lee, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 225-22 on S.B. No. 2280**

The purpose of this measure is to allow dental assistants to perform limited, essential duties under the general supervision of a dentist in public health settings.

Your Committee on Conference finds that the State lacks adequate and accessible dental public health infrastructure, especially on the neighbor islands. Your Committee on Conference further finds that dental assistants could play an important role in improving access to dental health care across the State. Although the Hawaii Dental Practice Act allows dental hygienists to practice under the general supervision of a dentist in public health settings, dental assistants are prohibited from providing auxiliary support, except under direct supervision. This measure allows dental assistants to provide limited, but essential, auxiliary support under general supervision while in public health settings, which would contribute to the development and sustainable implementation of community-based dental disease prevention programs.

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. 2280, 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. 2280, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Kitagawa, Tam, Har, and Ward.

Managers on the part of the House.

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

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

**Conf. Com. Rep. 226-22 on S.B. No. 2274**

The purpose of this measure is to:

- (1) Require all nurses to respond to the Center for Nursing Workforce Supply Survey in conjunction with license renewal, but does not penalize a nurse for failure to do so; and
- (2) Increase the additional Center for Nursing fee from \$40 to \$60 per licensing biennium.

Your Committee on Conference finds that the Hawaii State Center for Nursing was created to collect and analyze data related to current and future trends in nursing, and recruit and retain nurses. Since 2003, the Center has made significant progress in creating statewide initiatives and programs to address the nursing shortage and increase access to health care throughout the State. Your Committee on Conference further finds that the Center for Nursing fees, which help to fund the Center's activities, has not increased since 2003, and the State again faces a nursing shortage. This measure requires nurses to respond to the Center for Nursing Workforce Supply Survey in conjunction with license renewal, but does not penalize a nurse for failure to do so, and increases the Center for Nursing fee from \$40 to \$60 per licensing biennium.

Your Committee on Conference has amended this measure by:

- (1) Deleting the requirement that nurses respond to the Center for Nursing Workforce Supply Survey;
- (2) Inserting an effective date of July 1, 2022; 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. 2274, 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. 2274, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Kitagawa, Tam, Har, and Ward.  
Managers on the part of the House.  
Ayes, 3. Noes, none. Excused, 2 (Har, Ward).

Senators Keohokalole, Baker, Shimabukuro, San Buenaventura, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, 1 (San Buenaventura).

**Conf. Com. Rep. 227-22 on S.B. No. 2624**

The purpose of this measure is to appropriate funds to establish a telehealth pilot project and a rural health care pilot project.

Your Committee on Conference finds that many Hawaii residents are unable to obtain timely and appropriate health care and behavioral health care due to shortages of primary, specialty, and behavioral care providers. This is particularly true for elderly or rural residents who experience even greater barriers to provider access, such as fixed or limited financial resources, lack of physical mobility or other disabilities, cognitive impairment, or transportation challenges. Your Committee on Conference finds that multiple strategies are needed to address these problems. One method is greater telehealth adoption. Another avenue is to provide a financial incentive to health care providers to service rural areas. This measure establishes and appropriates funds for a telehealth pilot project and a rural health care pilot project, and requires the Department of Health to submit an evaluation of both pilot projects to the Legislature.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$100,000 for the telehealth pilot project;
- (2) Inserting an appropriation amount of \$100,000 for the rural health care pilot project; and
- (3) Inserting an effective date of 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. 2624, 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. 2624, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Kitagawa, Tam, Har, and Ward.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Har).

Senators Keohokalole, Baker, Kanuha, San Buenaventura, and Fevella.  
Managers on the part of the Senate.  
Ayes, 5. Noes, none. Excused, none.

**Conf. Com. Rep. 228-22 on S.B. No. 1138**

The purpose of this measure is to establish the annual expenditure ceiling of the Office of Health Care Assurance Special Fund through the state budget process and to fund increasing operational expenses, including contracts to implement a new management information system and background checks system.

Your Committee on Conference finds that the Office of Health Care Assurance performs all state licensing activities on health care facilities, agencies, and organizations in Hawaii. Although the Office of Health Care Assurance is partially funded through the Office of Health Care Assurance Special Fund, the special fund has a spending ceiling, and any expenses the Office of Health Care Assurance accrues above the spending ceiling must come from general funds. This was problematic during the coronavirus disease 2019 (COVID-19) pandemic, due to the detrimental financial impacts of pandemic response. Your Committee on Conference finds that the Office of Health Care Assurance requires more fiscal flexibility, particularly in a post-COVID-19 world, in order to



cover the costs of contracted health care facility inspectors, fund investigations, and modernize operations. Accordingly, this measure establishes the ceiling of the Office of Health Care Assurance Special Fund through the state budget process.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to upon its approval; provided that section 3 of this measure shall take effect on July 1, 2022; 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. 1138, 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. 1138, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Kanuha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 229-22 on S.B. No. 2473**

The purpose of this measure is to:

- (1) Transfer the administrative attachment of the Agribusiness Development Corporation from the Department of Agriculture to the Department of Business, Economic Development, and Tourism;
- (2) Allow the Director of Business, Economic Development, and Tourism to amend the duties, qualifications, and salaries of Agribusiness Development Corporation employees who are exempt from civil service and transferred pursuant to this measure;
- (3) Amend the focus, scope, responsibilities, and powers of the Agribusiness Development Corporation;
- (4) Amend the requirements and responsibilities of the Board of Directors of the Agribusiness Development Corporation;
- (5) Specify the required contents of the Hawaii Agribusiness Plan; and
- (6) Appropriate funds.

Your Committee on Conference finds that the goals and objectives of the Agribusiness Development Corporation (ADC) better align with the general mission of the Department of Business, Economic Development, and Tourism (DBEDT). Your Committee on Conference notes that this measure will not only promote economic diversification, but also acknowledges agriculture's key role in the economic recovery of the State in the post-coronavirus disease 2019 pandemic future.

Your Committee on Conference has amended this measure by:

- (1) Clarifying that the newly established position to provide accounting and other fiscal support services to the ADC shall be for one full-time equivalent permanent accountant V position;
- (2) Inserting appropriation amounts of:
  - (A) \$100,000 for a consultant to assist ADC in preparing and finalizing the Hawaii Agribusiness Plan;
  - (B) \$90,000 for one full-time equivalent permanent accountant V position; and
  - (C) \$500,000 for security guard services to address trespassing, abandonment of vehicles on ADC land, and other security issues on vacant ADC land;
- (3) Removing language that would have allowed the Director of Business, Economic Development, and Tourism to amend the duties, qualifications, and salaries of Agribusiness Development Corporation employees who are exempt from civil service and transferred pursuant to this measure; and
- (4) Making it effective 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. 2473, 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. 2473, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Hashem, Yamashita, Belatti, Todd, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Gabbard, Kidani, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 230-22 on S.B. No. 3334**

The purpose of this measure is to:

- (1) Establish the Director of Business, Economic Development, and Tourism as an ex officio voting member of the Hawaii Tourism Authority Board of Directors, Stadium Authority, and School Facilities Authority Board;
- (2) Repeal the exemption for the Stadium Development Special Fund from the departmental administrative expenses assessment;
- (3) Transfer the Stadium Authority from the Department of Accounting and General Services to the Department of Business, Economic Development, and Tourism;
- (4) Amend the composition of the Stadium Authority;

- (5) Amend the development guidance policies of the Stadium Authority;
- (6) Reduce the amount of general obligation bonds that may be issued to the Stadium Authority for the Stadium Development District; and
- (7) Transfer the School Facilities Authority from the Department of Education to the Department of Business, Economic Development, and Tourism.

Your Committee on Conference finds that consolidating the State's land use expertise and resources will lead to more effective and efficient development and redevelopment of state lands for Hawaii's residents.

Your Committee on Conference has amended this measure by:

- (1) Reducing the amount of members of the Stadium Authority from thirteen to eleven;
- (2) Clarifying that eight of the members of the Stadium Authority are public members;
- (3) Removing language that repeals the exemption for the Stadium Development Special Fund from the departmental administrative expenses assessment;
- (4) Removing all provisions regarding the School Facilities Authority;
- (5) Amending section 1 to reflect its amended purpose;
- (6) Making it effective on July 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. 3334, 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. 3334, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Quinlan, Yamashita, and Okimoto.

Managers on the part of the House.

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

Senators Wakai, Moriwaki, Kidani, Kanuha, Misalucha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 231-22 on H.B. No. 2240**

The purpose of this measure is to:

- (1) Authorize the issuance of general obligation bonds to pay or prepay the State's other post-employment benefits liability under certain conditions; and
- (2) Require the outstanding balance of general obligation bonds issued to pay or prepay the other post-employment benefits liability to be considered in the calculation of a public employer's annual required contribution to the other post-employment benefits trust fund.

Your Committee on Conference has amended this measure by:

- (1) Inserting a \$300,000,000 ceiling on the amount of general obligation bonds the Director of Finance is authorized to issue for fiscal year 2022-2023 for the Other Post-employment Benefits Trust Fund;
- (2) Clarifying the method for calculating the annual required contribution as it relates to the general obligation bonds authorized by this Act, to pay or prepay the State's other post-employment benefits liability; and
- (3) Changing the effective date of section 1 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 H.B. No. 2240, 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. 2240, H.D. 1, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Yamashita, Belatti, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Keith-Agaran, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 232-22 on H.B. No. 2510**

The purpose of this measure is to incrementally:

- (1) Increase the State's minimum wage to \$12.00 per hour beginning October 1, 2022; \$15.00 per hour beginning January 1, 2024; and \$18.00 per hour beginning January 1, 2026; and
- (2) Phase out the tip credit.

Your Committee on Conference finds that while the cost of living in the State continues to rise, the minimum wage has not been adjusted to a level that is necessary to offset the higher cost of living. Your Committee on Conference further finds that increasing the minimum wage will help to foster economic stability.

Your Committee on Conference has amended this measure by:

- (1) Inserting a preamble;
- (2) Inserting provisions that make the State earned income tax credit refundable and permanent, and providing for the carryforward of nonrefundable tax credits previously claimed;

- (3) Changing the timespan and staggering of the minimum wage increases from \$12.00 on October 1, 2022; \$15.00 on January 1, 2024; and \$18.00 on January 1, 2026; to \$12.00 on October 1, 2022; \$14.00 on January 1, 2024; \$16.00 on January 1, 2026; and \$18.00 on January 1, 2028; and
- (4) Instead of phasing out the tip credit, increasing the tip credit incrementally to \$1.50 per hour over a six-year period.

As affirmed by the record of votes of the managers 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. 2510, 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. 2510, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Nishimoto, Ilagan, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Kidani, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 233-22 on H.B. No. 2288**

The purpose of this measure is to facilitate the transfer of a parcel of land from a state agency to the Department of Hawaiian Home Lands.

Specifically, the measure:

- (1) Requires the state agency holding a fee simple interest in the parcel of land designated as TMK (1) 3-2-030-002-0000-000 to transfer the fee simple interest in the parcel to the Department of Hawaiian Home Lands; and
- (2) Appropriates moneys for condemnation proceedings to transfer relevant land from the University of Hawaii to the Department of Hawaiian Home Lands.

Your Committee on Conference notes that the Department of Hawaiian Home Lands maintains a waitlist of more than twenty-eight thousand beneficiaries who qualify for homestead leases. Your Committee on Conference finds that the land transfer authorized by this measure will help the Department of Hawaiian Home Lands to create additional housing inventory to reduce this waitlist and provide housing to more native Hawaiians.

Your Committee on Conference has amended this measure by:

- (1) Establishing that the Department of Hawaiian Home Lands is authorized, rather than mandated, to negotiate with the state agency holding title to the parcel of land designated as TMK (1) 3-2-030-002-0000-000 to transfer the fee simple interest in the parcel to the Department;
- (2) Deleting the appropriation; and
- (3) Making the measure effective upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2288, 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. 2288, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Takayama, Nakashima, Branco, and McDermott.

Managers on the part of the House.

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

Senators Kim, Shimabukuro, Wakai, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 234-22 on H.B. No. 2024**

The purpose of this measure is to establish a system to jointly oversee and manage state lands on Mauna Kea by the University of Hawaii and a new Mauna Kea Stewardship and Oversight Authority.

Specifically, this measure:

- (1) Establishes the Mauna Kea Stewardship and Oversight Authority (Authority);
- (2) Establishes the composition and powers of the Authority;
- (3) Provides for the joint management and stewardship of Mauna Kea lands by the University of Hawaii and the Authority by:
  - (A) Providing for the University of Hawaii to retain jurisdiction over approximately five hundred fifty acres of Mauna Kea astronomy research lands, comprising the astronomy precinct, Halepohaku complex, and the Mauna Kea access road; and
  - (B) Transferring jurisdiction over approximately 9,450 acres of Mauna Kea conservation lands to the Authority;
- (4) Provides for a transition period of three years for the Authority to assume management of the Mauna Kea conservation lands;
- (5) Declares the support of astronomy to be a policy of the State and authorizes the University of Hawaii to develop a framework to allow astronomy development on Mauna Kea;
- (6) Requires the Authority to establish advisory groups to advise the Authority in its management of Mauna Kea conservation lands;
- (7) Requires the Authority and University of Hawaii to submit annual reports to the Legislature;
- (8) Authorizes the Authority and University of Hawaii to limit commercial use and activities in their respective jurisdictions;
- (9) Establishes the Mauna Kea management special fund;
- (10) Transfers certain rights, duties, and positions from the University of Hawaii to the Authority;
- (11) Exempts positions in the Authority from civil service requirements;

- (12) Appropriates moneys to the Authority for startup costs and to establish one full-time equivalent (1.0 FTE) executive assistant position;
- (13) Requires the Auditor to conduct a performance and financial audit of the Authority; and
- (14) Requires that the management of Mauna Kea shall revert to the University of Hawaii if the Auditor finds that joint oversight between the Authority and the University of Hawaii is unfit to continue.

Your Committee on Conference finds that the critical significance of Mauna Kea for both culture and science offers an urgent and unique opportunity to surmount the existing dichotomy and develop new ways to mutually steward Mauna Kea. Therefore, a reformation of the stewardship of Mauna Kea is an issue of the highest priority of the State.

Your Committee on Conference also finds that it is the policy of the State to support astronomy that is consistent with a mutual stewardship paradigm in which ecology, the environment, natural resources, cultural practices, education, and science are in balance and synergy. This policy is consistent with the approach supported by leaders in the astronomical community in Hawaii and the nation, as evidenced by public statements from the astronomy community pertaining to the management of Mauna Kea, which were released subsequent to the hearings on this measure.

Your Committee on Conference acknowledges that the Directors of W.M. Keck Observatory, Subaru Telescope, and Gemini Observatory released a consensus statement on the principles for the future management of astronomical facilities on Mauna Kea. These principles were subsequently endorsed by the Board of Directors of the Association of Universities for Research in Astronomy, a consortium of forty-seven United States institutions and three international affiliates that operate world-class astronomical observatories for the National Science Foundation (NSF) and the National Aeronautics and Space Administration (NASA). In their statement of principles, the Directors stated:

We strongly believe there is a vibrant and sustainable future for astronomy on Maunakea – a future based on a community model of astronomy in which relationships and partnerships between the community and astronomy thrive, upheld by the values of respect, collaboration, and inclusion.

The observatories are permitted by the state to conduct activities on Maunakea lands – public lands that are important to multiple stakeholders and of great cultural importance to the Hawaiian community. We are grateful for our privilege of observing the universe on Maunakea.

Your Committee on Conference further finds that this statement of principles also refers to the following policy from the Astro2020 Decadal Survey, which guides the future of astronomy research in the United States:

NSF, NASA, [the Department of Education], facility managing organizations, project consortia, individual institutions, and other stakeholders can work to build partnerships with Indigenous and local communities that are more functional and sustained through a Community Astronomy approach, and by increasing the modes of engagement and funding for: (i) meaningful, mutually beneficial partnerships with Indigenous and local communities, (ii) culturally supported pathways for the inclusion of Indigenous members within the profession, and (iii) true sustainability, preservation, and restoration of sites.

Referring to Astro2020, Maunakea Observatories stated, "[i]t is through the lens of this framework that we remain deeply committed to ensuring the local and native Hawaiian community is included as we work together in forging a positive future for Maunakea" and "[w]e seek a community-based mutual stewardship model which will allow astronomy to thrive alongside other interests, sensitive to the needs of the local community."

Your Committee on Conference notes that while the Conference Draft of the measure includes the operating principles of mauna aloha, opu kupuna, and holomua oi kelakela, it does not include the House Draft No. 1 language describing the Kumu Kanawai, which are a set of statements describing the Native Hawaiian cultural worldview and values relevant to the stewardship of Mauna Kea. Despite the omission of the Kumu Kanawai from the Conference Draft, your Committee on Conference asserts that the Authority should not feel constrained from incorporating the Kumu Kanawai principles into its rules and operational plans.

Upon further consideration and much deliberation, your Committee on Conference envisions a five-year transition period to occur as follows:

	2022-2023	2023-2028	2028-2033	2034+
<b>Administrative attachment</b>	Department of Land and Natural Resources	Department of Land and Natural Resources	Department of Land and Natural Resources	Department of Land and Natural Resources
<b>Land Authority ("Lessor")</b>	Department of Land and Natural Resources, subject to a moratorium on leases	Department of Land and Natural Resources, subject to a moratorium on leases	Authority	Authority
<b>Which lands</b>	Currently under master lease	Currently under master lease	Proposed Reserve may redefine boundaries	Lands within Reserve (if established)
<b>General Lease</b>	University of Hawaii	University of Hawaii	Authority	To be determined
<b>Day to Day management</b>	University of Hawaii	University of Hawaii	Authority	Authority
<b>Future planning</b>	University of Hawaii	Authority	Authority	Authority
<b>Viewing and Observing time</b>	Fixed under lease	Fixed under lease	Fixed under lease	To be negotiated by the Authority, subject to a mandatory minimum
<b>Potential leasing scenario</b>	Moratorium	Moratorium, but the Authority determines process, criteria, and rules under informal talks	Rules go into effect and formal lease negotiations may occur	New lease or leases permitted

To effectuate the envisioned transition period illustrated in the preceding table, your Committee on Conference has amended this measure by:

- (1) Requiring the Authority to jointly oversee Mauna Kea lands with the University of Hawaii for a transition period of five years and to have exclusive oversight of Mauna Kea lands after the transition period;
- (2) Clarifying the members of the Authority that shall be subject to confirmation by the Senate;
- (3) Deleting the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs from the membership of the Authority;
- (4) Adding the Mayor of the County of Hawaii, or the Mayor's designee, to the membership of the Authority;
- (5) Requiring that any designee appointed by the Chairperson of the Board of Land and Natural Resources, Mayor of the County of Hawaii, or Chairperson of the Board of Regents of the University of Hawaii serve the entire term of appointment;

- (6) Requiring that the Governor appoint, rather than the members elect, a chairperson of the Authority, and specifying the group of members from which the Governor may appoint the Chairperson;
- (7) Requiring the Authority to adopt a financial plan that strives for financial self-sustainability after the sixth year following the transition period;
- (8) Requiring the Authority to adopt a framework for astronomy-related development on Mauna Kea and allowing the framework to include:
  - (A) Limiting the number of observatories and astronomy-related facilities;
  - (B) Prioritizing, over the use of undeveloped lands, the reuse of footprints of observatories that are scheduled for decommissioning, or have been decommissioned, as sites for new facilities or improvements; and
  - (C) A set of principles for returning lands used for astronomy research to their natural state whenever observatories on those lands are decommissioned or no longer have research or educational value;
- (9) Prohibiting new leases and the renewal of leases during the transition period;
- (10) Clarifying the State's support of astronomy;
- (11) Requiring that after the transition period, leases for astronomical observatories specify at least seven percent of reserved viewing or observing time for the University of Hawaii, and further requiring the University of Hawaii to give priority for reserved viewing or observing time to certain Hawaii students and projects of the University of Hawaii at Hilo Imiloa Astronomy Center;
- (12) Providing the Authority with greater flexibility regarding the establishment of advisory groups;
- (13) Requiring that each annual report by the Authority include, in addition to a review of human uses and the impacts of these uses on the natural and cultural resources of Mauna Kea, a review of the commercial uses of the natural and cultural resources of Mauna Kea and the impacts of the commercial uses on these resources, along with a review of the University of Hawaii's use of its reserved viewing or observing time;
- (14) Authorizing the Authority, rather than the University of Hawaii, to limit commercial use and activities on Mauna Kea;
- (15) Authorizing the Authority to adopt rules before the end of the transition period, provided that the rules shall not take effect until the transition period is completed;
- (16) Requiring that contested cases arising under the newly established chapter shall be subject to Chapter 91, Hawaii Revised Statutes, unless otherwise dictated by the new chapter, and further requiring that appeals from a final decision and order or a preliminary ruling that is of the nature defined by section 91-14(a), Hawaii Revised Statutes, shall be made directly to the Hawaii Supreme Court;
- (17) Authorizing the Authority to retain its own attorneys;
- (18) Requiring the Authority to submit an interim and final report that assesses:
  - (A) Whether a reserve should be established on Mauna Kea lands and, if so, the location of those lands; and
  - (B) Whether the University of Hawaii School of Astronomy should be relocated in whole or in part to the University of Hawaii at Hilo;
- (19) Providing two additional years for the Auditor to complete a performance and financial audit of the Authority;
- (20) Providing that the transfer of the University of Hawaii's powers over Mauna Kea to the Authority shall be completed by July 1, 2028;
- (21) Clarifying that the General Leases between the Board of Land and Natural Resources and the University of Hawaii regarding Mauna Kea lands shall remain in effect until those General Leases expire;
- (22) Repealing Chapter 304A, part IV, subpart O, and section 304A-2170, Hawaii Revised Statutes, relating to the Mauna Kea lands management special fund, effective July 1, 2028;
- (23) Requiring the University of Hawaii to decommission the California Institute of Technology Submillimeter Telescope and the University of Hawaii at Hilo Hoku Kea Teaching Telescope;
- (24) Specifying that the \$14,000,000 appropriated for the startup costs of the Authority shall also be expended for transition planning and hiring the executive assistant of the Authority;
- (25) Appropriating \$350,000 for K-12 public education programs in astronomy-related fields of learning at the University of Hawaii at Hilo, Imiloa astronomy center;
- (26) Specifying that the transfer of the moneys from the Mauna Kea lands management special fund to the Mauna Kea management special fund shall occur on June 30, 2028;
- (27) Deleting the provisions requiring that the management of Mauna Kea shall revert to the University of Hawaii if the Auditor finds that joint oversight between the Authority and the University of Hawaii is unfit to continue;
- (28) Changing the effective date to July 1, 2022; and
- (29) 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. 2024, 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. 2024, H.D. 1, S.D. 2, C.D. 1

Signed by the Chairs on behalf of the Committee.

Representatives Tarnas, Nakashima, Branco, Eli, and McDermott.

Managers on the part of the House.

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

Senators Kim, Keith-Agaran, Kanuha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 235-22 on H.B. No. 2260**

The purpose of this measure is to:

- (1) Amend the circumstances under which medical cannabis may be transported by and between dispensaries;
- (2) Increase the allowable number of plants for production centers;
- (3) Increase the number of production centers that may be allowed under a dispensary license;
- (4) Increase the number of retail dispensing locations that may be allowed under a dispensary license; and
- (5) Redefine the term "medical cannabis production center" to include any series of structures located within the same secured perimeter fence-line.

Your Committee on Conference finds that the State's Medical Cannabis Dispensary Program was established to ensure that qualifying patients have safe and legal access to medical cannabis. Your Committee on Conference also finds that the Medical Cannabis Dispensary Program needs to be updated to increase access to medical cannabis in rural areas, provide the Department of Health with improved administrative control, and increase the supply of medical cannabis in the State.

Your Committee on Conference further finds that to ensure that the existing medical dispensary licensing framework sufficiently meets the needs of qualifying patients in a cost-effective manner, an assessment of the dispensary licensing framework is necessary. In order to maintain the status quo while the assessment is being conducted, an extension of the deadline by which primary caregivers can no longer cultivate cannabis for a qualifying patient is therefore necessary.

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

- (1) Extending the date after which a primary caregiver is no longer authorized to cultivate cannabis for a qualifying patient to December 31, 2024;
- (2) Deleting provisions that would have increased the number of retail dispensing locations allowed under a dispensary license;
- (3) Limiting licensees to no more than fifteen thousand cannabis plants in total across all of the licensee's production centers;
- (4) Requiring the Department of Health to establish the fee structure for the submission of applications for additional production centers and for dispensary-to-dispensary sales;
- (5) Permitting a selling dispensary to transport no more than eight hundred ounces of cannabis or manufactured cannabis products to a purchasing dispensary within a thirty-day period;
- (6) Inserting an appropriation amount of \$50,000 for an assessment of the medical cannabis dispensary licensing framework by the Department of Health;
- (7) Changing its effective date to July 1, 2022; 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. 2260, 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. 2260, H.D. 1, S.D. 2, 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, 4. Noes, none. Excused, 1 (Har).

Senators Keohokalole, Baker, Rhoads, Kanuha, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 236-22 on S.B. No. 514**

The purpose and intent of this measure is to dispose of excess tax revenues pursuant to article VII, section 6, of the Hawaii State Constitution.

Specifically, the measure:

- (1) Provides an income tax credit of an unspecified amount to every resident individual taxpayer;
- (2) Provides an income tax refund of an unspecified amount to every qualifying resident taxpayer;
- (3) Appropriates an unspecified sum of moneys for deposit into the other post-employment benefits trust fund; and
- (4) Appropriates an unspecified sum of moneys for deposit into the emergency and budget reserve fund.

Your Committee on Conference finds that article VII, section 6, of the Hawaii State Constitution requires the Legislature to dispose of excess general fund revenues whenever the state general fund balance at the close of each of two successive fiscal years exceeds five percent of general fund revenues for each of the two fiscal years. Your Committee on Conference finds that the general fund balance has met this threshold for two successive fiscal years, and further finds that this measure is an appropriate vehicle for fulfilling the applicable constitutional requirement.

Your Committee on Conference has amended this measure by:

- (1) Removing language referring to an income tax credit;
- (2) Clarifying that the income tax refund shall be provided as follows:
  - (A) \$300 for individuals earning less than \$100,000 and couples earning less than \$200,000; or
  - (B) \$100 for individuals earning \$100,000 or more and couples earning \$200,000 or more,
 multiplied by the number of the taxpayer's qualified exemptions;
- (3) Setting forth the dollar amount and the rate by which the general fund expenditure ceiling will be exceeded and the reasons for exceeding the expenditure ceiling;
- (4) Appropriating \$300,000,000 for deposit into the pension accumulation fund, rather than the other post-employment benefits trust fund; and
- (5) Appropriating \$500,000,000 for deposit into the emergency and budget reserve fund.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 514, 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. 514, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Yamashita, and McDermott.

Managers on the part of the House.

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

Senators Dela Cruz, Keith-Agaran, Kidani, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 237-22 on S.B. No. 2657**

The purpose of this measure is to:

- (1) Reestablish the Hawaii Medical Education Council Special Fund to enable the John A. Burns School of Medicine, in consultation with the Hawaii Education Council Special, to provide funding for medical education and training in Hawaii;
- (2) Appropriate funds to the John A. Burns School of Medicine to expand medical education and training in Hawaii, with an emphasis on supporting residency training on the neighbor islands and in medically underserved areas throughout the State; and
- (3) Appropriate funds to the John A. Burns School of Medicine to create further medical residency and training opportunities through a partnership between the John A. Burns School of Medicine and the United States Department of Veterans Affairs.

Your Committee on Conference finds that the State faces a severe shortage of health care providers. The ongoing shortage threatens individual health and may pose adverse effects to the State's health care costs. The neighbor islands have been disproportionately affected by shortages of physicians in all areas of practice. Your Committee on Conference finds that medical school graduates who complete their residency training in Hawaii are more likely to remain in Hawaii to practice. Similarly, medical residents who train on the neighbor islands are more likely to subsequently practice on the neighbor islands. Thus, providing funds for medical education is vital to address the physician shortage in Hawaii. Furthermore, there is strong collaboration between the John A. Burns School of Medicine and the United States Department of Veterans Affairs. The United States Department of Veterans Affairs health system currently invests in Hawaii-based residency positions using a separate federal pool of resources for support. This measure appropriates funds to the John A. Burns School of Medicine to expand medical education and training in Hawaii and to create further residency and training opportunities in partnership with the United States Department of Veterans Affairs.

Your Committee on Conference has amended this measure by:

- (1) Removing the provision that reestablishes the Hawaii Medical Education Council Special Fund;
- (2) Inserting an appropriation amount of \$2,700,000 for the creation of additional medical residencies and training opportunities for medical students in counties with populations of five hundred thousand or less;
- (3) Inserting an appropriation amount of \$4,000,000 for the expansion of medical residency and training opportunities in partnership with the United States Department of Veterans Affairs; and
- (4) Inserting an effective date of 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. 2657, 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. 2657, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Takayama, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Kim, Kidani, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 238-22 on S.B. No. 2597**

The purpose of this measure is to appropriate funds for the Hawaii State Loan Repayment Program administered through the University of Hawaii John A. Burns School of Medicine, subject to a matching funds requirement.

Your Committee on Conference finds that there is a shortage of health care professionals in the State, particularly in rural communities. This shortage threatens not only individual health, but the entire State's health care system. Your Committee on Conference also finds that individuals who receive loan repayments from the Hawaii State Loan Repayment Program in exchange for work commitments in underserved practice areas in Hawaii are highly likely to remain at the site they performed their service. Health care professionals who have benefited from the Hawaii State Loan Repayment Program serve on all islands and in rural and underserved communities. This measure appropriates funds for the Hawaii State Loan Repayment Program to continue to provide a financial incentive to health care professionals working in health care shortage areas.

Your Committee on Conference has amended this measure by:

- (1) Inserting an appropriation amount of \$500,000 for the Hawaii State Loan Repayment Program; and
- (2) Inserting an effective date of 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. 2597, 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. 2597, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Takayama, Tam, Har, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Kim, Misalucha, San Buenaventura, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 239-22 on S.B. No. 2600**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, prohibit the issuance of permits for future large capacity underground storage tank systems mauka of the underground injection control line; and
- (2) Beginning January 1, 2023, prohibit the operation of, and renewal of permits for, large capacity underground storage tank systems located mauka of the underground injection control line.

Your Committee on Conference finds that article XI, section 7, of the Hawaii State Constitution requires the State to "protect, control and regulate the use of Hawaii's water resources for the benefit of its people." Aging underground storage tanks threaten to leak hazardous substances into the ground and contaminate the State's precious supply of drinking water. In November 2021, the State experienced such an occurrence when the United States Navy confirmed that petroleum leaked from its Red Hill Underground Bulk Fuel Storage Facility, contaminating a portion of Honolulu's water supply. This measure reduces the risks of hazardous substances leaking from large capacity underground storage tank systems into the State's drinking water by prohibiting permits for and operations of these systems.

Your Committee on Conference has amended this measure by:

- (1) Changing the prohibition date for the operation of, and renewal of permits for, large capacity underground storage tank systems located mauka of the underground injection control line to July 1, 2022;
- (2) Allowing the operation of large capacity underground storage tanks systems after July 1, 2022, provided the operation is necessary to address maintenance required to safely support defueling, environmental requirements, any operations directly related to defueling, or requirements under section 342L-9, Hawaii Revised Statutes;
- (3) Adding a definition for "mauka" consistent with the Hawaii Administrative Rules;
- (4) Changing the effective date to upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2600, 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. 2600, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Yamane, Lowen, Johanson, Tam, and Ward.

Managers on the part of the House.

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

Senators Keohokalole, Gabbard, Acasio, Wakai, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 240-22 on S.B. No. 2784**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (3) and for their excluded counterparts.

Your Committee on Conference finds that on April 22, 2022, the State received notification that an agreement was issued concerning the Hawaii Government Employees Association, collective bargaining unit (3). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (3) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2784, 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. 2784, 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, Misalucha, and Fevella.

Managers on the part of the Senate.

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



**Conf. Com. Rep. 241-22 on S.B. No. 2785**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (4) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (4). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (4) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2785, 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. 2785, 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, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 242-22 on S.B. No. 2787**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (6) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 12, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (6). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (6) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2787, 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. 2787, 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, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 243-22 on S.B. No. 2788**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (7) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 8, 2022, concerning the University of Hawaii Professional Assembly, collective bargaining unit (7). An agreement with the University of Hawaii Professional Assembly regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (7) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2788, 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. 2788, 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, Misalucha, and Fevella.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 244-22 on S.B. No. 2789**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (8) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (8). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (8) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2789, 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. 2789, 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, Misalucha, and Fevella.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 245-22 on S.B. No. 2792**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (11) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 25, 2022, concerning the Hawaii Firefighters Association, collective bargaining unit (11). An agreement with the Hawaii Firefighters Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (11) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2792, 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. 2792, 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, Misalucha, and Fevella.  
Managers on the part of the Senate.  
Ayes, 2. Noes, none. Excused, 1 (Fevella).

**Conf. Com. Rep. 246-22 on S.B. No. 2795**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (14) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (14). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (14) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2795, 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. 2795, 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, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 247-22 on S.B. No. 2783**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (2) and for their excluded counterparts.

Your Committee on Conference finds that, the State received notification that an agreement was issued on April 19, 2022 concerning the Hawaii Government Employees Association, collective bargaining unit (2). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (2) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Changing the effective date to 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. 2783, 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. 2783, 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, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 248-22 on S.B. No. 2794**

The purpose of this measure is to appropriate funds for fiscal biennium 2021-2023 for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (13) and for their excluded counterparts.

Your Committee on Conference finds that the State received notification that an agreement was issued on April 22, 2022, concerning the Hawaii Government Employees Association, collective bargaining unit (13). An agreement with the Hawaii Government Employees Association regarding Employer-Union Trust Fund contributions was previously reached and funded by Act 106, Session Laws of Hawaii 2021.

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

- (1) Inserting specific amounts for collective bargaining cost items, salary increases, and other cost adjustments for public employees in collective bargaining unit (13) and for their excluded counterparts for fiscal biennium 2021-2023, pursuant to the arbitration award;
- (2) Inserting specific amounts for legislative salary cost items;
- (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. 2794, 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. 2794, 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, Misalucha, and Fevella.

Managers on the part of the Senate.

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

**Conf. Com. Rep. 249-22 on S.B. No. 3289**

The purpose of this measure is to establish a Hawaii Retirement Savings Program to be administered by the Hawaii Retirement Savings Board in consultation with the Department of Labor and Industrial Relations and Department of Budget and Finance, that provides a state-facilitated payroll-deduction individual retirement savings plan to private sector employees who do not have access to employer-sponsored retirement savings plans.

Your Committee on Conference finds that there is an imminent retirement security crisis in Hawaii, with many individuals not having access to an employer-sponsored retirement savings plan, and therefore, at significant risk of lacking sufficient retirement income to cover their basic expenses during retirement.

Your Committee on Conference also finds that, due to Hawaii's high cost of living, many workers continue to work beyond normal retirement age, and many of those workers work more than one job. This measure will allow private sector employees in Hawaii to participate in a state-facilitated payroll-deduction retirement savings plan that will promote retirement savings needed for a secure retirement, improve the employee's financial security, and reduce wealth disparity in Hawaii.

Your Committee on Conference has amended this measure by:

- (1) Amending the powers and duties of the Hawaii Retirement Savings Board;
- (2) Allowing the Hawaii Retirement Savings Board to authorize matching contributions of up to \$500 per participant account from the Hawaii Retirement Savings Special Fund for the first 50,000 covered employees who participate for twelve consecutive months after initial enrollment; and
- (3) Amending the expenditure allowances for moneys in the Hawaii Retirement Savings Special Fund; 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. 3289, 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. 3289, S.D. 2, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Onishi, Johanson, Sayama, and Okimoto.

Managers on the part of the House.

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

Senators Taniguchi, Kanuha, Ihara, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 250-22 on S.B. No. 2021**

The purpose of this measure is to:

- (1) Establish the Office of Hawaiian Affairs' pro rata share of the moneys derived from the public land trust;
- (2) Establish a working group to determine pro rata share of income and proceeds from the public land trust and back amounts due; and
- (3) Appropriate funds from the carry-forward trust holding account to the Office of Hawaiian Affairs.

Your Committee on Conference finds that it is incumbent upon the Legislature to uphold its trust responsibilities and duty of care to native Hawaiians pursuant to the Hawaii State Constitution, which requires that twenty percent of the income and proceeds from the Public Land Trust go to the Office of Hawaiian Affairs to benefit the Native Hawaiian community. This measure will ensure that the State fulfills its constitutional obligations by establishing and providing for the Office of Hawaiian Affairs' annual share of the income and proceeds of the public land trust.

Your Committee on Conference further finds that the past-due sum owed to the Office of Hawaiian Affairs for any and all underpayments of the pro-rata portion of the income and proceeds of the Public Land Trust for the period from July 1, 2012, to June 30, 2022, is \$64,000,000, and that this sum is intended to represent the cumulative impact of an inflation adjustment for that period.

Your Committee on Conference has amended this measure by:

- (1) Deleting language amending section 10-13.5, Hawaii Revised Statutes, to require a minimum amount of \$21,500,000 to be transferred annually from the Public Land Trust to the Office of Hawaiian Affairs and replacing it with language amending Act 178, Session Laws of Hawaii 2006, to the same substantive effect;
- (2) Removing the requirement that the working group determine the past-due sum owed to the Office of Hawaiian Affairs;
- (3) Requiring any department or agency that uses, manages, or receives income, proceeds, or any other fund derived from the Public Land Trust to cooperate with the working group in submitting a report to the Legislature;
- (4) Requiring the Office of Hawaiian Affairs, instead of the Department of Budget and Finance, to provide administrative support to the working group;
- (5) Making a general fund appropriation of \$64,000,000 to be deposited into the Native Hawaiian Trust Fund and expended by the Office of Hawaiian Affairs instead of appropriating \$31,000,000 from the Carry-Forward Trust Holding Account to the Office of Hawaiian Affairs;
- (6) Amending section 1 to reflect its amended purpose; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2021, 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. 2021, S.D. 1, H.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, Eli, Holt, and Ward.

Managers on the part of the House.

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

Senators Shimabukuro, Keohokalole, Dela Cruz, Fevella, and Kidani.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 251-22 on S.B. No. 2474**

The purpose of this measure is to require the Public Utilities Commission to establish reliability standards and interconnection requirements for renewable energy projects and community-based renewable energy projects.

Your Committee on Conference finds that facilitating the timely interconnection of utility-scale renewable energy projects will help set standards for grid-reliability, support the State's renewable energy goals, and reduce the risks of project delays and variables; thereby benefiting ratepayers and the State.

Your Committee on Conference has amended this measure by deleting its contents and replacing it with language that:

- (1) Requires the Public Utilities Commission to contract with a qualified consultant to conduct a study on the accessibility of Hawaii's electrical system and procedures for interconnection to Hawaii's electrical system;
- (2) Requires a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023;
- (3) Appropriates funds for the Public Utilities Commission to contract with a qualified consultant to conduct a study on the accessibility of and procedures for interconnection to Hawaii's electrical system;
- (4) Makes it effective on July 1, 2022; and
- (5) Makes 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. 2474, 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. 2474, S.D. 2, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Johanson, Marten, Perruso, and Matsumoto.

Managers on the part of the House.

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

Senators Wakai, Baker, Kidani, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 252-22 on S.B. No. 2290**

The purpose of this measure is to:

- (1) Beginning July 1, 2022, ban the manufacture of a personal care product, except a non-prescription drug, that contains plastic microbeads;
- (2) Beginning July 1, 2023, ban the sale or offer for sale of a personal care product, except a non-prescription drug, that contains plastic microbeads;
- (3) Beginning July 1, 2024, ban the sale or offer for sale of a non-prescription drug that contains plastic microbeads; and
- (4) Exempt rinse-off cosmetics or rinse-off cosmetics that are also non-prescription drugs regulated by the federal Microbead-Free Waters Act of 2015.

Your Committee on Conference finds that plastic microbeads, which are common in many personal care products, can accumulate in Hawaii's waters and damage marine ecosystems. Additionally, microbeads that are ingested by marine wildlife can eventually progress through the food chain to fish for human consumption. Consequently, plastic microbeads also present a risk to human health. This measure establishes prohibitions on products that contain plastic microbeads in three phases.

Your Committee on Conference has amended this measure by:

- (1) Amending the definitions of "personal care product" and "plastic microbead"; and
- (2) Inserting an effective date of 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. 2290, 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. 2290, S.D. 1, H.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Lowen, Kitagawa, Marten, Tam, and Matsumoto.

Managers on the part of the House.

Ayes, 5; Ayes with Reservations (Matsumoto). Noes, none. Excused, none.

Senators Gabbard, Baker, Acasio, and Fevella.

Managers on the part of the Senate.

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

#### **Conf. Com. Rep. 253-22 on H.B. No. 1147**

The purpose of this measure is to appropriate monies for capital improvement project costs of the State for the fiscal biennium 2021-2023.

Your Committee on Conference has amended this measure by:

- (1) Removing the capital improvement projects for fiscal biennium 2021-2023;
- (2) Appropriating funds to the Department of Business, Economic Development, and Tourism;
- (3) Appropriating funds out of the Convention Center Enterprise Special Fund;
- (4) Appropriating funds to the University of Hawaii;
- (5) Making it effective upon approval; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1147, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1147, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Luke, Yamashita, and McDermott.  
Managers on the part of the House.  
Ayes, 2. Noes, none. Excused, 1 (McDermott).

Senators Dela Cruz, Keith-Agaran, Kidani, and Fevella.  
Managers on the part of the Senate.  
Ayes, 4. Noes, none. Excused, none.

**Conf. Com. Rep. 254-22 on H.B. No. 2466**

The purpose of this measure is to provide a general excise tax exemption for the gross proceeds or income received from the sale of any product resulting from the cultivation and production of unprocessed taro in the State.

Your Committee on Conference has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Repealing the measure on June 30, 2027.

As affirmed by the record of votes of the managers 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. 2466, 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. 2466, H.D. 2, S.D. 1, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Perruso, Quinlan, Luke, Eli, and Matsumoto.  
Managers on the part of the House.  
Ayes, 4. Noes, none. Excused, 1 (Matsumoto).

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

**Conf. Com. Rep. 255-22 on H.B. No. 2511**

The purpose of this measure is to provide funds to the Department of Hawaiian Home Lands to pursue a multi-pronged approach to eliminating its waitlist. Specifically, this measure:

- (1) Requires the Department of Hawaiian Home Lands to submit annual reports to the Legislature regarding expenditures from the Native Hawaiian Rehabilitation Fund and the number of beneficiaries removed from the waitlist for Hawaiian home lands through the use of funds from the Native Hawaiian Rehabilitation Fund; and
- (2) Appropriates \$600,000,000 into and out of the Native Hawaiian Rehabilitation Fund for:
  - (A) Hawaiian home lands lots and related projects; and
  - (B) Down payment assistance and mortgage payment assistance to Department of Hawaiian Home Lands beneficiaries.

Your Committee on Conference has amended this measure by:

- (1) Appropriating \$600,000,000 to the Department of Hawaiian Home Lands for certain purposes, instead of into and out of the Native Hawaiian Rehabilitation Fund;
- (2) Authorizing the Department of Hawaiian Home Lands to prioritize and determine the amount of assistance according to the income or receipt of other funds by the applicant or qualified relative, including wages, litigation settlement proceeds, and other monies received by the applicant or qualified relative;
- (3) Requiring the Department of Hawaiian Home Lands to develop a strategic plan to address applicant preferences reflected in the 2020 Beneficiaries Study Applicant Report;
- (4) Amending the requirements for the annual report from the Department of Hawaiian Home Lands;
- (5) Inserting a severability clause;
- (6) Changing the effective date to upon approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2511, 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. 2511, H.D. 2, S.D. 2, C.D. 1.

Signed by the Chairs on behalf of the Committee.

Representatives Nakashima, Luke, Eli, Holt, Tam, and Ward.  
Managers on the part of the House.  
Ayes, 6. Noes, none. Excused, none.

Senators Shimabukuro, Keohokalole, Keith-Agaran, and Fevella.  
Managers on the part of the Senate.  
Ayes, 3. Noes, none. Excused, 1 (Fevella).

**Spec. Com. Rep. 1-22 House Investigative Committee to Investigate Compliance with Audit Nos. 19-12 and 21-01 established under H.R. No. 164**

The purpose and duties of the Committee and the subject matter and scope of its investigative authority was:

- (1) To follow up on the audits of the Department of Land and Natural Resources' Special Land and Development Fund, Report No. 19-12, and Agribusiness Development Corporation, Report No. 21-01;
- (2) To examine the recommendations made in those audits; and
- (3) For purposes of improving the operations and management of these state agencies, their funds, and any other matters.

Over the course of more than six months, your Committee, conducted eighteen public hearings with twenty-two subpoenaed witnesses and received thousands of pages of documents. Your Committee presents its findings and recommendations, including proposed legislation, in the attached report.

Signed by the Chair on behalf of the Committee.

Note: the full report is available online at: <https://www.capitol.hawaii.gov/CommitteeFiles/Special/HIC21/Document/HIC21%20Final%20Report.pdf>

**Spec. Com. Rep. 1-22 Special Committee to Consider Miscellaneous Communication Nos. 1001 and 1002**

The Special Committee to Consider Miscellaneous Communication Nos. 1001 and 1002 ("Special Committee" or "Committee") was formed pursuant to Rule 14 of the Rules of the House of Representatives of the Thirty-First Legislature ("House Rules") and memorandum dated March 18, 2021, by Speaker of the House of Representatives Scott K. Saiki ("Speaker's Memorandum"). The Special Committee was charged with investigating whether Representative Sharon E. Har's ("Representative Har") conduct involving alleged incidents of driving while intoxicated, driving without an auto insurance policy, and driving the wrong way on a one-way street on February 22, 2021, violated House Rule 62, which sets forth the body's Code of Legislative Conduct.

The following six members of the House were appointed to the Special Committee: Della Au Belatti, Chair (Majority Leader); Mark M. Nakashima, Vice-Chair (Committee on Judiciary Chair); Linda Ichiyama (Committee on Pandemic & Disaster Preparedness Chair); Scot Z. Matayoshi; Lauren Matsumoto (Minority Floor Leader); and Amy A. Perruso.

The Special Committee was tasked with convening as soon as practicable and, after notifying Representative Har, investigating the matter. See Rule 4, Speaker's Memorandum. The Special Committee was required to "review relevant written documentation and other evidence submitted by the petitioner[s] and affected member." Id. The Special Committee was also required to "consider evidence that is clear and convincing" in making its findings, recommendations, and report. See Rule 5, Speaker's Memorandum.

The Chair of the Special Committee was given the discretion to "conduct hearings where the petitioner[s] and the affected member, or their respective attorneys, shall each be provided an opportunity to make statements and answer questions from the Special Committee." See Rule 4, Speaker's Memorandum.

At the conclusion of its investigation, the Special Committee was obligated to write and submit this report of its findings and recommendations to the House of Representatives. See Rule 6, Speaker's Memorandum. The House shall affirm or reject the report, or take such other action as it determines. Id.

**I. Issues for Consideration by the Special Committee**

The House of Representatives and any committees established under it are obligated to operate under and apply constitutional and statutory provisions, as well as abide by the House's own internal rules. See Spec. Com. Rep. No. 2-15, Re: Special Committee to Consider Misc. Communication No. 1003, dated Feb. 27, 2015 (2015 Spec. Com. Rep. No. 2-15), p.2.

As noted above, the Special Committee was charged with investigating whether Representative Har's conduct involving alleged incidents of driving while intoxicated, driving without an auto insurance policy, and driving the wrong way on a one-way street on February 22, 2021, violated House Rule 62.

The relevant provisions of House Rule 62 applicable to the investigation of the Special Committee are the following:

Rule 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.

Rule 62.2: Members should not lend the prestige of public office to advance the private interests of themselves or others[.]

Rule 62.4 (8): To the extent reasonably possible, members should. . . (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[.]

After conducting its investigation and determining whether Representative Har's conduct violated House Rule 62, the Special Committee is authorized by Article III, Section 12, of the Hawaii State Constitution to determine the punishment, if any, to be imposed on Representative Har. Article III, Section 12, of the Hawaii State Constitution provides in relevant part:

Each house . . . shall have, for misconduct, disorderly behavior or neglect of duty of any member, power to punish such member by censure or, upon a two-thirds vote of all the members to which such house is entitled, by suspension or expulsion of such member. (Emphases added.)

Accordingly, the issues presented to the Special Committee in its investigation are as follows:

- A. Whether Representative Har's conduct related to the events of February 22, 2021, violated House Rule 62; and
- B. What action, if any, is appropriate as a result of the investigation?

**II. Procedural History****A. Committee Meeting of March 30, 2021**

On March 30, 2021, the Special Committee convened a publicly noticed meeting at which Petitioners Michael Golojuch, Sr., ("Petitioner M. Golojuch, Sr.") and Carolyn M. Golojuch, MSW ("Petitioner C. Golojuch"), Representative Har, and Howard Luke, Esq., ("Mr. Luke") counsel for Representative Har, participated virtually. See 3/30/2021 Meeting Transcript ("3/30/21 Meeting"), p.3. At the outset, the Chair explained that the Committee would be guided by principles of fairness and impartiality consistent with the protection of constitutional due process rights. Id., p.4. This initial meeting was limited to reviewing rules, process, and procedures of the Committee and did not involve a discussion of the merits of the matter. Id., pp.4 & 7.

The parties and the public were advised that the range of possible outcomes of the Special Committee's investigation could include recommendations that no action be taken to recommendations of censure, suspension, or expulsion pursuant to Article III, Section 12, of the Hawaii State Constitution. Id., p.8.

Mr. Luke informed the Special Committee that an arraignment and plea date of April 20, 2021, was scheduled by the District Court for the criminal charges against Representative Har. Id., p.14. This date was subsequently continued a number of times. See section II, B, infra.

In order to conduct a fair and impartial investigation that did not interfere with the criminal and administrative proceedings or jeopardize Representative Har's due process rights, the Special Committee stayed its investigation until after these proceedings were concluded; provided that if these proceedings or related appeals were delayed beyond the legislative biennial calendar, the Chair would notice a Committee meeting to address the delay. See 3/30/21 Meeting, pp.15-16, & 18-24. The parties did not object to the stay of the Committee's investigation. Id.

#### B. Resolution of Criminal and Administrative Proceedings

On March 2, 2021, the District Court dismissed without prejudice the alleged violation of Hawaii Revised Statutes ("HRS") Section 431:10C-104, relating to no motor vehicle insurance. The alleged violation was later dismissed with prejudice by the District Court on December 6, 2021.

On March 2, 2021, the Administrative Driver's License Revocation Office issued its Notice of Administrative Review Decision. This Decision sustained the automatic two-year revocation of Representative Har's license and privilege to operate a vehicle based on her February 22, 2021, refusal to submit to a breath test after being informed of the sanctions of the administrative revocation process.

On March 3, 2021, Representative Har filed a Request for Administrative Hearing appealing the administrative revocation of her license. A hearing on this matter was set for March 18, 2021, and was subsequently continued until February 3, 2022.

On March 29, 2021, the District Court dismissed with prejudice the alleged violation of Section 15-10.01 of the Revised Ordinances of Honolulu, relating to driving the wrong way on a one-way street.

Between April 16, 2021, and October 6, 2021, Representative Har's arraignment, plea, and criminal trial dates were continued six times for various reasons. On December 6, 2021, Representative Har's jury-waived trial began on the charge of operating a vehicle under the influence of an intoxicant (OVUI) in violation of HRS Section 291E-61(a)(1). The trial was continued to January 10, 2022.

On January 10, 2022, immediately after the Deputy Prosecuting Attorney rested his case, Representative Har's defense counsel made the following two oral motions: (1) a motion to dismiss with prejudice based on a December 10, 2021, decision by the Hawaii Supreme Court in State v. Thompson, 150 Hawaii 262, 500 P.3d 447 (2021); and (2) a motion for a judgment of acquittal based on the failure of the State to present beyond a reasonable doubt a prima facie case that Representative Har had violated HRS Section 291E-61(a)(1). The District Court granted both motions, entered a judgment in favor of Representative Har, and acquitted Representative Har of the OVUI charge.

On January 24, 2022, Representative Har withdrew her Request for Administrative Hearing and ended her appeal challenging the administrative revocation process. The two-year revocation of Ms. Har's driver's license was affirmed by the Administrative Driver's License Revocation Office. According to Representative Har, she is required to have an ignition interlock in her vehicle for two years. See Representative Har's Written Response to Special Committee Questions ("4/18/22 Rep. Har Written Responses"), no.1, dated April 18, 2022.

#### C. Committee Meeting of February 11, 2022

On February 11, 2022, the Special Committee conducted a publicly noticed and broadcasted videoconference meeting advising the parties that the Committee would resume its work inasmuch as the criminal and administrative proceedings had been resolved.

Both Petitioners and Mr. Luke were virtually present at this meeting.

A briefing schedule was discussed and confirmed with the parties. Petitioners were directed to provide their submittals by February 25, 2022. Representative Har was directed to provide her responsive submittals by March 11, 2022.

The Chair advised the parties that the Special Committee would be considering reliable and trustworthy supporting evidence from the parties. The Chair further announced that the Committee reserved the right to question the parties once all submittals had been received or to issue a recommendation based solely on the parties' submittals.

#### D. Documents Submitted and Reviewed by the Special Committee

The Committee reviewed various submittals by the parties. Miscellaneous Communication Nos. 1001 and 1002 were received by the House on March 10, 2021, and March 12, 2021, from Petitioners M. Golojuch, Sr., and C. Golojuch, respectively. Both Communications petitioned the House to investigate the conduct of Representative Har related to the events of February 22, 2021, and take appropriate actions.

In Miscellaneous Communication No. 1001, Petitioner M. Golojuch, Sr., in relevant part, cited to conduct related to the "alleged DUI incident" that "is not the behavior we expect of our elected officials." He also cited to Representative Har's statements on and after February 22, 2021, and "numerous conflicts between her and the police reports. . . , including the footage of the body cameras." Petitioner M. Golojuch, Sr., describes Representative Har's statements as "unprofessional, and in direct opposition of her initial statements."

In Miscellaneous Communication No. 1002, Petitioner C. Golojuch cited to House Rules 46.1 and 46.2 and petitioned the House to investigate the conduct of Representative Har. Petitioner C. Golojuch ostensibly based her complaint on Representative Har's alleged conduct of driving while intoxicated and driving without a motor vehicle insurance policy.

Following the conclusion of the criminal and administrative proceedings, Petitioners submitted the following documents in support of their Petitions by the February 25, 2022, deadline:

1. A signed statement dated February 10, 2021, [sic] from Petitioner M. Golojuch, Sr., alleging that "Representative Har conducted herself in a way that didn't benefit her office or provide public confidence in the House" and pointing out the differences in Representative Har's statements after the incident to the House of Representatives and to her District, newspaper and television reports, and Honolulu Police Department ("HPD") body camera footage. Petitioner M. Golojuch, Sr. attached a compilation of video links, including links to portions of body camera footage, and a compilation of statements from various news stories and letters to the editor to his signed statement;
2. A signed statement dated February 10, 2022, from Petitioner C. Golojuch, and the same attachments of video links, statements from news stories, and letters to the editor previously provided by Petitioner M. Golojuch, Sr.; and
3. A statement dated February 25, 2022, from Petitioner C. Golojuch presenting questions to the Committee purportedly challenging Representative Har's judgment and conduct in going out during the pandemic and having "a beer on top of her prescription medication" while dealing with "an upper respiratory disease."

Representative Har submitted the following documents on March 11, 2022:

1. A signed Response to Petitioners' Submittals, dated March 11, 2022, requesting that the Committee:
  - a. Adopt the facts set forth in Representative Har's attached Declaration and Exhibits;



- b. Dismiss the Petitions inasmuch as the evidence at trial thoroughly discredited the factual allegations in the Petitions and reopening the evidence would be futile and tantamount to a violation of Representative Har's right to be free from double jeopardy;
  - c. Recommend that no further action be taken against Representative Har; and
  - d. Discharge the Special Committee;
2. A signed Declaration by Representative Har, dated March 11, 2022, "illustrat[ing] where and in what context the true facts of the events regarding the incident that occurred on February 22, 2021." See 3/11/22 Representative Har Declaration at p.2. This Declaration was based upon attached trial exhibits and numerous excerpts of the pretrial and trial transcripts; and
  3. The attached Exhibits supporting Representative Har's above Declaration:
    - a. Exhibit A: Speaker's Memorandum dated March 18, 2021;
    - b. Exhibit B: A copy of the March 29, 2021 State of Hawaii Judiciary's eCourt Kokua minutes dismissing with prejudice Case No. 1DTI-21-043783, relating to the one-way street violation;
    - c. Exhibit C: A redacted copy of Representative Har's vehicle insurance card showing an active vehicle insurance policy for February 22, 2021;
    - d. Exhibit D: A redacted copy of the District Court's Notice of Entry of Judgment and/or Order, filed on December 6, 2021, in Case No. 1DTA-21-00387, dismissing with prejudice the charge related to motor vehicle insurance, HRS Section 431:10C-104(a); and
    - e. Exhibit E: A copy of a January 19, 2022, Honolulu Star Advertiser editorial commentary authored by Mr. Luke, Representative Har's trial defense attorney, provided to refute the Prosecuting Attorney's "highly unusual [post-trial] press conference that completely misrepresented the evidence adduced at trial." See 3/11/22 Representative Har Declaration at p.2.

On April 7, 2022, pursuant to a request made to the District Court, the Committee received official transcripts of the December 6, 2021, pretrial and trial proceedings, and January 10, 2022, trial proceedings in 1DTA-21-00387, State of Hawaii v. Sharon Ellie Har.

#### E. Committee Meeting of April 4, 2022

Following the submittals of the parties, the Chair determined that a hearing was necessary to hear from and ask questions of the parties. See Rule 4, Speaker's Memorandum. At the Committee's third publicly noticed meeting on April 4, 2022, an in-person hearing before the Committee was scheduled with the parties' consent for April 13, 2022. The Chair announced that according to past practice, each side would have 20 minutes to make a presentation to the Special Committee, followed by questions from Committee members. See, e.g., 2015 Spec. Com. Rep. No. 2-15, p.8.

The Chair also noted that the Special Committee was working to obtain the official transcripts of Representative Har's pretrial and trial proceedings and that it was the intent of the Committee to resolve the issues raised by Petitioners before adjournment of the Regular Session of 2022. *Id.*, at 21:43-22:30. As noted *supra*, the Committee received official transcripts of the December 6, 2021, and January 10, 2022, pretrial and trial proceedings, that were reviewed in advance of the April 13, 2022 hearing.

#### F. Committee Hearing of April 13, 2022

Pursuant to standard practices of the Legislature developed and adopted beginning in 2020 and through 2022, the April 13, 2022, hearing was conducted in-person and broadcasted publicly via the House YouTube channel. Committee members, Petitioners, Mr. Howard Luke, Esq. ("Mr. Luke"), and Mr. Daniel Luke, Esq., on behalf of Representative Har, were present in person at the hearing. Also in attendance virtually was a legal reporter who transcribed the April 13, 2022 hearing. See 4/13/2022 Hearing Transcript ("4/13/22 Hearing"), at pp.1-4.

#### 1. Petitioners' Presentation and Responses

Petitioners presented their position to the Committee, utilizing approximately 11 of the 20 available minutes. Petitioner M. Golojuch, Sr. explained that the decision to file Miscellaneous Communication No. 1001 was made after a meeting of the District 42 Council where "a majority of the District Council members voted to file a complaint with the Speaker of the House" pursuant to the House of Representatives procedures for filing a complaint. *Id.*, at pp.6-7.

Petitioner M. Golojuch, Sr. also acknowledged Representative Har's request that both petitions be dismissed because the District Court judge acquitted her of the criminal OVUII charge. *Id.*, p.7. However, Petitioner M. Golojuch, Sr. asserted that the proceeding before the Committee was "an administrative procedure and not a court of law" and that similar to his experience as a former hearings officer where his "job was to review cases against individuals independently of any judicial action or acquittal," the House "has its own rules about how representatives should present themselves or act in public." *Id.*

He also asserted Petitioners' belief that "the written and recorded documentation of Representative Har's behavior on the evening of February 22nd, 2021 does not reflect the professional standards that all representatives should follow." *Id.*, pp.7-8. Petitioner M. Golojuch, Sr. then pointed out several discrepancies in the statements made by Representative Har "telling the police that she did not take any medication" in contrast to the statement "that the reason for the incident was taking cold medication and one beer." *Id.*, p.8; compare nine HPD body camera videos of Representative Har's traffic stop and arrest on Feb. 22, 2021 with Statement of Representative Sharon Har, Haw. H. Journal, 31<sup>st</sup> Leg., Reg. Sess., Day 23, Feb. 24, 2021, at p.206 ("2/24/21 Rep. Har Floor Statement") to Feb. 2021 District 42 Newsletter. Lastly, Petitioner M. Golojuch, Sr. acknowledged, "[t]hat is not my district's call" and "[i]t's up to her peers to decide what, if any, action should be taken after its Special Committee completes its investigation of facts, findings, and conclusions." See 4/13/22 Hearing, p.8.

Petitioner C. Golojuch echoed the statements of Petitioner M. Golojuch, Sr. and stated that she was "not asking for any undue reprimands" but that she was "asking that the rules pertain to Representative Har." *Id.*, p.10.

Following Petitioners' presentation, the Special Committee asked several questions of Petitioners for another 10 minutes. The Committee requested that Petitioners provide a copy of Representative Har's District Newsletter that was cited in Petitioners' submittals as having been received by Representative Har's constituents. *Id.*, pp.12-13.

The Committee also asked clarifying questions about who submitted the petitions, and Petitioners responded that Petitioner M. Golojuch, Sr. brought the petition on behalf of members of the Democratic Party in House District 42 or the "District 42 Council," while Petitioner C. Golojuch brought her petition on her own behalf. *Id.*, pp.13-14.

Petitioners were then asked if they were alleging that the same conduct violated the House Rules. Petitioner M. Golojuch, Sr. asserted that both petitions alleged similar type complaints, and Petitioner C. Golojuch referred back to her submittals for the conduct she alleged violated the House Rules. *Id.*, pp.14-15.

In further follow up questions, Petitioners were asked if Petitioners reviewed House Rule 62 and whether they were familiar with that Rule. Both Petitioners could not cite specifically to House Rule 62, but Petitioner M. Golojuch, Sr. answered that while he did not "remember it word-for-word," he did "know that there is a standards of conduct" and that at the District 42 meeting, "something was brought up, because that's why we even had the idea of filing the complaint." *Id.*, pp.15-20.

## 2. Representative Har's Presentation and Responses

At the conclusion of the Special Committee's questioning of Petitioners, Mr. Luke, on behalf of Representative Har, presented for approximately 15 of the available 20 minutes, followed by Committee members' questions for another 30 minutes.

Mr. Luke asserted, in relevant part, that the OVUII charge against Representative Har was not dismissed on a technicality and the "judgment of acquittal is a very high standard" whereby the prosecution had failed to meet their burden of proof. 4/13/22 Hearing at p.24. Mr. Luke argued that the District Court thoroughly reviewed all the witness testimony presented at trial, including the testimony of arresting police officers and the AnyPlace Cocktail Lounge staff who served Representative Har, along with all of the body camera video footage of the arrest,

and correctly acquitted Representative Har of the OVUII charge. Mr. Luke concluded that this Committee should similarly dismiss the petitions against Representative Har. Id. at pp.25-29.

Following Mr. Luke's presentation, Committee members posed numerous questions for Representative Har. These questions included the following:

- a. What are the requirements Representative Har must comply with as a result of the administrative license revocation process and the two-year administrative revocation of her driver's license? See 4/13/22 Hearing, p.36;
- b. Whether Representative Har made the statement, "Do you know who I am?" at the scene of the incident, as reported; and if the statement was made, an explanation from Representative Har on what she meant by the statement. Id., pp.40-43;
- c. Whether Representative Har was on prescription medication at the time of the incident, and, if so, whether that prescription medication had a warning on it to not consume alcohol while on that medication? Id., pp.47-50;
- d. What were the circumstances surrounding Representative Har's illness at the time she decided to go out the evening of February 22, 2021? Did Representative Har have a transmissible respiratory illness? Id., pp.52-54.

## 3. Further Follow-Up Requested by the Special Committee

In light of the questions raised during the hearing, the parties were instructed to submit written responses to the questions asked by the Committee by the close of business on April 18, 2022. Petitioners were also instructed to provide a copy of Representative Har's District 42 Newsletter that was mailed to her constituents.

As specified in the hearing notice and relayed in advance to the parties, the Special Committee did not engage in discussion or decision-making at the April 13, 2022 hearing.

### G. Documents and Responses Submitted Post-Hearing

On April 18, 2022, Petitioners submitted the following supplemental documents:

1. A two-page written response dated April 17, 2022, to the Special Committee's question about House Rule 62 explaining that "[i]t was the consensus of the [District 42] Council members that Representative Har may have violated 62.1 and/or 62.2" and these Rules were "the primary reason the complaint was filed";
2. A single-page written response dated April 18, 2022, explaining Petitioners' attempts to acquire a copy of Representative Har's District 42 Newsletter and reporting on a February 24, 2021, Makakilo Neighborhood Board No. 34 meeting where a legislative aide read a letter from Representative Har regarding the February 22, 2021 incident;
3. A copy of the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 meeting minutes, dated February 24, 2021, documenting that a letter was read by Representative Har's legislative aide regarding the "issuance of a DUI on Monday, February 22, 2021";
4. A copy of Representative Har's February 2021 District 42 Newsletter ("Feb. 2021 District 42 Newsletter"); and
5. A one-page statement providing a link to a news story reporting on Representative Har's verbal apology to the House of Representatives on February 24, 2021, after her arrest for driving while intoxicated.

On April 18, 2022, Representative Har, through her counsel, submitted the following supplemental documents:

1. All nine HPD body camera videos recording the stop and subsequent arrest of Representative Har on February 22, 2021, totaling 42 minutes and 48 seconds of video footage; and
2. Written responses to the five questions asked by the Special Committee during the April 13, 2022 hearing. ("4/18/22 Rep. Har's Written Responses")

On April 21, 2022, documents received from the Prosecutor's Office that were admitted into evidence and reviewed by the District Court in the trial proceedings were provided to all members of the Special Committee for their review. These documents included the following exhibits:

1. State's Exhibit No. 10: An image of the South Beretania Street and Piikoi Street intersection with sketches of Representative Har's vehicle's movements before the arrest;
2. State's Exhibit No. 12: A second image of a different angle of the South Beretania Street and Piikoi Street intersection where Representative Har was stopped;
3. State's Exhibit No. 14: An image from the body camera video footage of a HPD officer of Representative Har's vehicle and license plate on February, 22, 2021;
4. State's Exhibit No. 15: An image from the body camera video footage of a HPD officer of Representative Har's vehicle and a HPD vehicle the night of February 22, 2021;
5. State's Exhibit No. 17: A copy of HPD's "Use of Intoxicants while Operating a Vehicle Implied Consent for Testing" form signed and issued by Officer C. Morgado, and signed by Representative Har documenting her refusal to take either an alcohol concentration breath test or blood test on February 22, 2021;
6. State's Exhibit No. 18: A copy of HPD's "Sanctions for Use of Intoxicants while Operating a Vehicle & Implied Consent for Testing" form signed by Officer C. Morgado and Representative Har documenting that Officer Morgado informed Representative Har about sanctions, the choice of taking a blood test, a breath test, or both, or refusing, and Representative Har's refusal to take either an alcohol concentration breath test or blood test
7. State's Exhibit No. 19: A copy of HPD's "Notice of Administrative Revocation" documenting that the Notice was provided to Representative Har by Officer C. Morgado, and Representative Har refused to acknowledge receipt of this Notice on February 22, 2021;

8. State's Exhibit No. 28: A copy of an AnyPlace Cocktail Lounge Ticket, dated February 22, 2021, itemizing the drinks purchased for the table Representative Har was seated at on the night of February 22, 2021;
9. State's Exhibit No. 29: A copy of the Debit Card receipt for the drinks purchased for Representative Har's table on the night of February 22, 2021;
10. State's Exhibit No. 30: A copy of the timesheets of the two servers who waited on Representative Har's table on the night of February 22, 2021;
11. State's Exhibit No. 32: An image of the AnyPlace Cocktail Lounge sign that was posted outside the restaurant the night of February 22, 2021, instructing people not to enter if they have a cough, fever, or do not feel well;
12. State's Exhibit No. 33: An image from the body camera video footage from an HPD officer at the arrest scene;
13. State's Exhibit No. 34: An aerial diagram of the South Beretania Street and Piikoi Street intersection indicating the pathway and movement of Representative Har's vehicle, the site where an HPD officer made his initial observations, and the direction of traffic flow at the time of the initial stop and arrest on February 22, 2021;
14. Defendant's Exhibit A: A copy of a HPD Incident Report with an attachment of a Standardized Field Sobriety Test form documenting Officer S. Tory's observations of Representative Har during the arrest and Representative Har's refusal to take part in the field sobriety test; and
15. Defendant's Exhibit B: A copy of AnyPlace Cocktail Lounge's Menu.

### III. Discussion

The investigatory proceedings initiated by the House pursuant to Miscellaneous Communication Nos. 1001 and 1002 are matters of great significance and first impression for this body. This is the first time that a House committee has been convened to investigate one of its own members for violations of legislative standards of conduct arising from allegations of driving while intoxicated.

In the United States House of Representatives, the authority to investigate and discipline a member "is *in addition* to any criminal or civil liability that a Member of the House may incur for particular misconduct[.]" See "Expulsion, Censure, Reprimand, and Fine: Legislative Discipline in the House of Representatives," Congressional Research Service, June 27, 2016, Summary (emphasis added). Discipline "is not merely to punish an individual Member[.] *Id.*" "The underlying justification for legislative discipline has traditionally been to protect the integrity and dignity of the legislature and its proceedings[.]" as well the "institutional integrity of the House of Representatives. . . and its reputation." *Id.* at Summary & p.1, citing *Powell v. McCormack*, 395 F.2d 577, J.McGowan concurring, at 607 (D.C.Cir. 1968), *rev'd on other grounds*, 395 U.S. 486 (1969) (Legislative disciplinary action "was rooted in the judgment of the House as to what was necessary or appropriate for it to do to assure the integrity of its legislative performance and its institutional acceptability to the people at large as a serious and responsible instrument of government.")

The Hawaii House of Representatives and any committee established under it are obligated to operate under and apply constitutional and statutory provisions, and abide by the House's own internal rules. The Special Committee was established to fulfill these constitutional obligations and did not shirk its duties to investigate and determine whether Representative Har's conduct of February 22, 2021, violated House Rule 62.

In exercising its duties, the Special Committee was guided by the principles of fairness, due process, and past practice of the House of Representatives in handling matters of alleged drunk driving by former members of the House of Representatives.

On April 21, 2022, the Special Committee met to discuss and deliberate on the first question raised by Miscellaneous Communication Nos. 1001 and 1002: Whether Representative Har's conduct related to the events of February 22, 2021, violate House Rule 62.

In its deliberations, the Committee raised concerns about media reports that Representative Har had asked or told arresting police officers, "Do you know who I am?" and that this conduct may have violated House Rules 62.2 and 62.4(8) insofar as she may have "lent the prestige of public office" to "advance [her] private interests" or "derive undue personal benefits" for herself. See 4/21/22 Meeting Transcript, pp.5 & 15; House Rules 62.2 and 62.4(8).

The Committee also raised concerns about whether Representative Har's conduct violated House Rule 62.1 based on: (1) the truthfulness and veracity of Representative Har's numerous statements made about whether she was on prescription medication with codeine due to an upper respiratory illness; (2) her admission that she was eating and drinking indoors with others at a time during the COVID-19 pandemic when there were state and county orders and restaurant signs instructing individuals not to go into indoor establishments if they were experiencing illness; (3) her admission that she drank some amount of alcohol while taking prescription medication; and (4) evidence admitted at trial that she was clearly driving the wrong way down the center of South Beretania Street and that she endangered others, including a moped that swerved to avoid her and other cars that she potentially could have hit. *Id.* at pp.5-15.

The Special Committee is not a criminal court and engages in a legislative process subject to the House Rules and different standards that are more akin to an administrative hearing. See 4/21/22 Meeting Transcript, pp.15-16. The Committee is bound to consider only "clear and convincing evidence" to support its factual findings. See Rule 5, Speaker's Memo. In applying this evidentiary standard, the Committee's findings must be based on evidence that leaves "a firm belief or conviction that it is highly probable that the factual contentions are true." See 4/21/2022 Meeting Transcript (4/21/22 Meeting), p.15; *In the Matter of JK*, 149 Hawaii 400, 409 (App. 2021). This evidentiary standard "is a higher standard of proof than proof by a preponderance of the evidence, but it does not require proof beyond a reasonable doubt" that is required in a criminal proceeding. See 4/21/22 Meeting Transcript, pp.15-16; *In the Matter of JK*, 149 Hawaii at 409.

The Committee acknowledges that the criminal proceeding related to this matter was dismissed and a judgment for acquittal entered by the District Court. However, the Special Committee notes that the issues before it are not an invitation to relitigate the criminal charges against Representative Har, which have since been resolved in her favor. Rather, the task of this Special Committee is to consider whether clear and convincing evidence before the Committee supports findings of fact that Representative Har's conduct violated House Rule 62.

The Committee further notes that the Notice of Administrative Revocation admitted as State's Exhibit No. 19 in the trial proceedings and consistent with HRS Section 291E-41(d) explains the administrative revocation process as follows:

If [the Administrative Driver's License Revocation Office] revokes your license pursuant to the Administrative Revocation Process, *you shall be referred to the driver's education program for an assessment, by a certified substance abuse counselor, of your substance abuse or dependence and the need for treatment.* You are responsible for all costs for the assessment and treatment. Your license will not be restored upon the expiration of the revocation period. *You must apply for a new license or renew your privilege to operate a vehicle after proving that you have complied with the conditions of the administrative revocation imposed by [the Office]. You must successfully complete each requirement for obtaining a new license or renewing your privilege to operate a vessel in the State of Hawaii including payment of all applicable fees.* (Emphases added.)

Despite these clear requirements outlined as part of the administrative license revocation process, the Committee notes that Representative Har's written response to the Committee's inquiry about the requirements she must comply with as a result of the revocation process do not address or disclose whether these requirements include a referral to the driver's education program, an assessment by a certified substance abuse counselor, and the need for treatment.

### IV. FINDINGS AND RECOMMENDATIONS

After diligent and independent review of the entirety of the nine body camera videos documenting Representative Har's February 22, 2021 arrest, the documents admitted into evidence at the criminal trial, the pretrial and trial transcripts documenting the testimony and arguments presented at the trial including admissions made by Representative Har, Representative Har's official February 2021 District 42 Newsletter mailed to her constituents, Representative Har's February 24, 2021 Floor Remarks to the House of Representatives, Representative Har's March 11, 2022 Submittals to the Committee, and Representative Har's Written Responses to the Committee's Questions, the Special Committee finds that there is clear and convincing evidence supporting the following findings of fact:

1. On February 22, 2021, Representative Har took prescription medicine which contained codeine to control the symptoms associated with an upper respiratory illness. See Feb. 2021 District 42 Newsletter; & 2/24/21 Rep. Har Floor Statement.
2. On that same day, Representative Har was at AnyPlace Cocktail Lounge, a public bar and restaurant, where she ate and drank some amount of alcohol despite the widely known dangers of mixing any opioid drugs with alcohol. See Feb. 2021 District 42 Newsletter; 2/24/21 Rep. Har Floor Statement; and 12/6/2021 Trial Transcript, pp.218-226.
3. Representative Har was at AnyPlace Cocktail Lounge when she knew she had an upper respiratory illness during a time when the City and County of Honolulu and the State of Hawaii had certain emergency orders in place that advised individuals experiencing illness not to be in public places. See Feb. 2021 District 42 Newsletter; 2/24/21 Rep. Har Floor Statement; 12/6/21 Trial Transcript, p.201; and State's Trial Exhibit No. 32.
4. At some point after leaving AnyPlace Cocktail Lounge, Representative Har was found driving the wrong way on South Beretania Street, a one-way street, which endangered others on the road. See 1/10/22 Trial Transcript, p.15; and Representative Har's Trial Exhibit C.
5. Representative Har was stopped after being found driving the wrong way on South Beretania Street. See 12/6/21 Trial Transcript, pp.72; 1/10/22 Trial Transcript, pp.90-91, 95; and State's Trial Exhibit 34.
6. During this stop, and in accordance with her legal rights, Representative Har refused to take a breath test or a field sobriety test. See 12/6/21 Trial Transcript, p.108; 1/10/22 Trial Transcript, p.66; State's Trial Exhibits Nos. 17 and 18; and Rep. Har's Exhibit A.
7. Representative Har was subsequently arrested for suspicion of driving under the influence of an intoxicant in violation of HRS Section 291E-61. See 12/6/21 Trial Transcript, p.103; and Rep. Har's Trial Exhibit A.
8. Based on her refusal to consent to a breath test or a field sobriety test, Representative Har's driver's license was automatically revoked pursuant to the Administrative Driver's License Revocation process. See State's Trial Exhibit No. 19; and 4/18/22 Rep. Har's Written Responses, no.1.
9. Representative Har is required to have an ignition interlock in her vehicle for two years. See 4/18/22 Rep. Har's Written Responses, no.1.
10. In order to have her license restored after two years, Representative Har will be required to either "apply for a new license or renew her privilege to operate a vehicle after proving that she has complied with the conditions of the administrative revocation imposed" and she must "successfully complete each requirement for either obtaining a new license or renewing her privilege to operate a vehicle in the State of Hawaii." See State's Exhibit No. 19; see also HRS Section §291E-41(d).

The Special Committee notes that it was not shown by clear and convincing evidence that Representative Har made the statement, "Do you know who I am?" or that any statement she made involving her identity was intended to influence the police officers or curry favor. This statement or statements similar to this were not recorded in any of the nine body camera videos or any police reports admitted into evidence at trial. Accordingly, the Committee did not find clear and convincing evidence supporting a violation of House Rule 62.2 or 62.4 (8).

Based upon the clear and convincing evidence before the Committee that supports the foregoing findings of fact, the Special Committee recommends affirmation of this report and adoption of the following recommendations by the House of Representatives:

1. Representative Sharon Har shall inform the House in writing, in a letter to the Speaker of the House, of all the current conditions she is or has been required to comply with as part of the Administrative Driver's License Revocation Process to date; and
2. Should Representative Har still be a member of the House of Representatives at the time she seeks to renew her license at the end of the two-year revocation period, Representative Har shall inform the House of Representatives, in writing, in a letter to the Speaker of the House, of the specific conditions of the renewal of her license and affirm that she has successfully complied with all the requirements.

Signed by the Chair, Vice Chair, and members of the Committee.