

Honolulu, Hawaii

May 5, 2009

RE: H.B. No. 36
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 36, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to clarify the rational link between the benefits sought and charges made on the users and beneficiaries of the Environmental Health Education Fund by:

- (1) Changing the name of the Environmental Health Education Fund to the Environmental Health Special Fund;
- (2) Allowing the use of fund moneys for sanitation program activities, including permitting, inspections, other monitoring, and enforcement; and



- (3) Deleting requirements that inspectors of food establishments be registered.

Your Committee on Conference has amended this bill by:

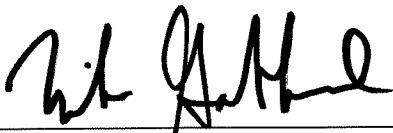
- (1) Changing the name of the Environmental Health Education Fund to the Sanitation and Environmental Health Special Fund (Special Fund);
- (2) Maintaining requirements in statute that inspectors of food establishments be registered;
- (3) Deleting requirements that moneys deposited in the Special Fund be used to conduct program activities including permitting, investigations, other monitoring, and enforcement;
- (4) Requiring that moneys in the Special Fund in excess of \$2,445,000 on June 30 of each year shall be deposited into the general fund;
- (5) Changing the effective date to July 1, 2009; and
- (6) Making technical, nonsubstantive changes for 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. 36, 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. 36, H.D. 1, S.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE SENATE

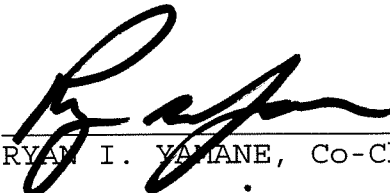
ON THE PART OF THE HOUSE



MIKE GABBARD, Chair



DONNA MERCADO KIM, Co-Chair



RYAN I. YAMANE, Co-Chair



HERMINA MORITA, Co-Chair





SCOTT NISHIMOTO, Co-Chair



Hawaii State Legislature

CCR 174

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: HB 36, HD 1, SD 2	Date/Time: 5/1/2009 5:28pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GABBARD, Mike, Chr.	/				YAMANE, Ryan I., Co-Chr.	/			
KIM, Donna Mercado, Co-Chr.	/				MORITA, Hermina M., Co-Chr.	/			
GREEN, Josh, M.D.	/				NISHIMOTO, Scott Y., Co-Chr.	/			
					COFFMAN, Denny	/			
					FINNEGAN, Lynn	/			
TOTAL	3	-	-	-	TOTAL	5			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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Distribution:

Original <i>File with Conference Committee Report</i>	Yellow <i>House Clerk's Office</i>	Pink <i>Senate Clerk's Office</i>	Goldenrod <i>Drafting Agency</i>
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