

STAND. COM. REP. NO.

3091

Honolulu, Hawaii

MAR 25 2014

RE: S.C.R. No. 31
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.C.R. No. 31 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE LICENSURE AND REGULATION OF HERBAL THERAPISTS,"

begs leave to report as follows:

The purpose and intent of this measure is to request the Auditor to conduct a sunrise review of the licensure and regulation of herbal therapists.

Your Committee received testimony in support of this measure from the Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs; A'ali'i Group; Mobile Native Hawaii Health, Inc.; Ka Lei Papahi 'O Kakuhihewa; and twelve individuals. Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee finds that herbal therapy is a complementary and alternative method for improving the wellness of individuals, and as such affects public health, safety, and welfare. However, herbal therapists are not presently licensed or regulated in Hawaii. Your Committee further finds that this measure requests the Auditor to perform a sunrise review pursuant to section 26H-6, Hawaii Revised Statutes, on the licensure and regulation of herbal therapists. The Auditor's analysis would set forth the probable effects of the proposed regulatory measure, assess whether its

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enactment is consistent with section 26H-6, Hawaii Revised Statutes, and assess alternate forms of regulation.

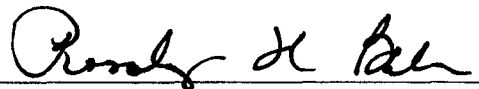
Your Committee additionally finds that section 26H-6, Hawaii Revised Statutes, states that a referral to the Auditor for a sunrise review shall be by concurrent resolution that identifies a specific legislative bill to be analyzed. Although this measure identifies a specific legislative bill introduced during the Regular Session of 2013, it does not identify a specific legislative bill introduced during the Regular Session of 2014. Your Committee notes that S.B. No. 2439, introduced during the Regular Session of 2014, proposes the regulation and licensure of herbal therapists. Amendments to this measure are therefore necessary to direct the Auditor to analyze S.B. No. 2439.

Accordingly, your Committee has amended this measure by:

- (1) Inserting a reference to S.B. No. 2439, Regular Session of 2014, and making corresponding clarifying amendments; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 31, as amended herein, and recommends that it be referred to the Committee on Ways and Means, in the form attached hereto as S.C.R. No. 31, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



ROSALYN H. BAKER, Chair



