

Your Committee on Conference is in accord with the intent and purpose of S.B. No. 1914, 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. 1914, S.D. 1, H.D. 1, C.D. 1.

Representatives Andrews, Shon, Metcalf, Bellinger, Kanoho and Hemmings,
Managers on the part of the House.

Senators Ikeda, Hagino and Reed,
Managers on the part of the Senate.

Conf. Com. Rep. 122 on H.B. No. 924

The purpose of this bill is to provide lump sum payments to those former charter members of the Excluded Managerial Compensation Plan (EMCP) who retired, left state or county employment for other jobs, or transferred to positions covered by different pay plans, and did not receive back pay under Act 400, Session Laws of Hawaii 1988.

Your Committee has agreed to adopt an amended version of H.B. No. 924, H.D. 2. For purposes of style and clarity, H.B. No. 924, H.D. 2, has been amended by amending Section 2 to refer to "lump sum payments and adjustments" instead of "lump sum payments." In addition, your Committee has provided the reasons why and the amount and rate by which the appropriations contained in this bill exceed the state spending limit.

Your Committee finds that this bill will address the inequity to those excluded managerial employees by authorizing the state and counties to provide back pay for former charter members of the EMCP.

Your Committee on Conference is in accord with the intent and purpose of H.B. No. 924, 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. 924, H.D. 2, S.D. 1, C.D. 1.

Representatives Takamine, Souki, Baker, Horita, Kotani, Yoshimura and Marumoto,
Managers on the part of the House.

Senators Nakasato, A. Kobayashi and Reed,
Managers on the part of the Senate.

Conf. Com. Rep. 123 on H.B. No. 1535

The purpose of this bill is to allow a licensed contractor entering into a contract involving home improvements to make the disclosure required by Section 444-25.5, Hawaii Revised Statutes, in either the contract itself, or a separate form.

This bill would also require that the owner's signature be obtained on the contract or separate form containing the disclosure. The disclosure must contain all lien rights of all parties performing under the contract, and an explanation as to the owner's option to demand bonding on the project. The disclosure must be printed in at least 12 point type.

This bill would delete the current provision requiring that disclosure be made in a separate form in at least 12 point type, that the owner's signature be obtained on the form, and that the form be approved by the contractors license board.

Upon further consideration, your Committee has amended this bill so as to retain the current provision concerning disclosure on a separate form approved by the board. A new provision has been added allowing contractors the option of making the disclosure in his or her written contract, provided that the disclosure appears on the first page, and is printed in at least 14 point type. Your Committee believes that this amendment will resolve both contractors' concerns about extra paper-work caused by the separate form requirement, and the public's interest in fair and effective disclosure.

Your Committee suggests that the board review the nature, requirements, and appropriateness of the disclosures which it currently requires of its various licensees. It has been brought to the attention of your Committee that current disclosure requirements vary significantly among licensees.

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

Your Committee on Conference is in accord with the intent and purpose of H.B. No. 1535, 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. 1535, H.D. 1, S.D. 1, C.D. 1.

Representatives Hirono, Cachola, Hiraki, Yoshimura and Anderson,
Managers on the part of the House.

Senators Blair, McCartney, Nakasato and Koki,
Managers on the part of the Senate.

Conf. Com. Rep. 124 on H.B. No. 1362

The purpose of this bill is to allow public employers to provide government records necessary for exclusive bargaining unit representatives to perform their functions.

Your Committee has amended this bill to make technical, nonsubstantive amendments for the purposes of style and clarity.

Your Committee on Conference is in accord with the intent and purpose of H.B. No. 1362, 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. 1362, H.D. 2, S.D. 1, C.D. 1.

Representatives Takamine, Metcalf, Hagino, Hirayama, Horita, Taniguchi and Marumoto,
Managers on the part of the House.

Senators Nakasato, A. Kobayashi, Mizuguchi and Reed,
Managers on the part of the Senate.

Conf. Com. Rep. 125 on S.B. No. 379

The purpose of this bill is to set statutory restrictions on persons riding in pickup trucks.

Under this bill, persons would be prohibited from standing in the bed or load-carrying area of any motor vehicle commonly known as a pickup truck while the vehicle is in operation. This bill would also prohibit operators of pickup trucks from operating the vehicles and owners of pickup trucks from permitting the vehicles to be operated with a passenger seated in the bed or load-carrying area of the pickup truck unless: 1) there is no seating available in the cab; 2) the side racks are securely attached and the tailboard is securely closed; 3) the passengers are seated on the floor of the bed and there is no attempt to control any unlash cargo in the bed. Trucks used for business purposes which are subject to regulation by state agencies would be exempted from these restrictions.

Violators would be subject to a fine of \$25 for each violation but would not be guilty of a violation for which points are assessed pursuant to Section 286-128, Hawaii Revised Statutes.

Your Committee upon further consideration has amended the bill by deleting the phrase ", nor shall the owner thereof permit it to be operated," from lines 8 and 9 on page 1 of the bill. The effect of this amendment is to make only the operator of the pickup, rather than both the operator and owner, liable for violations when the operator and the owner is not the same person.

Your Committee has further amended the bill by making nonsubstantive language and style changes for the purposes of clarity and conformance with recommended drafting style.

Your Committee on Conference is in accord with the intent and purpose of S.B. No. 379, 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. 379, S.D. 1, H.D. 1, C.D. 1.

Representatives Oshiro, Metcalf, Bybee, Yoshimura and Anderson,
Managers on the part of the House.

Senators Fernandes Salling, Chang and George,
Managers on the part of the Senate.

Conf. Com. Rep. 126 on H.B. No. 189

The purpose of this bill is to appropriate funds for the programs of the Judiciary for the 1989-91 fiscal biennium.

For the most part, appropriations have been made to address the Judiciary's most urgent concerns and operational requirements, although in the aggregate, the appropriations are less than the amounts requested in the Judiciary's budget. For FY 1989-90, the Judiciary's general fund budget request was \$69.8 million whereas your Committee has determined that a total appropriation in the amount of \$67.8 million is sufficient. For FY 1990-91, your Committee recommends program appropriations which total \$69.3 million against the Judiciary's general fund request of \$71.6 million.

In recommending the program appropriations, your Committee recognizes the growing needs of the Judiciary caused by increasing workloads and the corresponding necessity to modernize its various management systems. The application of modern technology to court operations and supporting systems is crucial for the Judiciary to fulfill its mission. However, in order to proceed with further computerization, the Judiciary still needs to develop a detailed tactical plan which establishes priorities, identifies resource requirements, sets time frames for implementation, and arranges project execution. For this reason, your Committee is recommending funds only for those projects deemed absolutely necessary to resolve pressing problems. For example, funding is being allowed for the Optical Disk Hardware project requested by the Judiciary.

Two years ago, in considering the Judiciary's budget for the 1987-89 fiscal biennium, it was the position of the Legislature that the Judiciary needed to exert financial discipline in its budget preparations and to lower the level of expenditures without disturbing essential programs and operations. Your Committee urged the Judiciary to pursue new procedures and more efficient methods of operation in budgetary and financial matters.

Your Committee's experience with the Judiciary's 1989-91 budget request leads to virtually the same conclusions. Two examples from your Committee's review of the budget illustrates the need for budgetary and financial accountability.

1. In its management and financial audit of the Judiciary, the Legislative Auditor, among many other findings, reported that the Judiciary had been making large purchases of equipment from funds that had not been budgeted for that