

EIGHTEENTH DAY

Thursday, February 18, 2016

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016, convened at 12:06 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Bishop Soara I. Tupua, Jr. and Mr. Kekoa Tupua of Holy Hill of Zion - Thy Dwelling Place Church, after which the Roll was called showing all Members present with the exception of Representatives Ing, Luke, Nakashima and Souki, who were excused.

On motion by Representative Evans, seconded by Representative Pouha and carried, reading of the Journal was dispensed with and the Journals of the Sixth, Seventh, Eighth, Ninth, Tenth, Eleventh and Twelfth Days were approved. (Representatives Ing, Keohokalole, Luke, Nakashima and Souki were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 18 through 22) were received and announced by the Clerk:

Sen. Com. No. 18, transmitting S.B. No. 2106, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," which passed Third Reading in the Senate on February 17, 2016.

Sen. Com. No. 19, transmitting S.B. No. 2114, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CLASS C FELONIES," which passed Third Reading in the Senate on February 17, 2016.

Sen. Com. No. 20, transmitting S.B. No. 2117, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ABSENTEE BALLOTS," which passed Third Reading in the Senate on February 17, 2016.

Sen. Com. No. 21, transmitting S.B. No. 2540, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," which passed Third Reading in the Senate on February 17, 2016.

Sen. Com. No. 22, transmitting S.B. No. 2553, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," which passed Third Reading in the Senate on February 17, 2016.

On motion by Representative Evans, seconded by Representative Pouha and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Ing, Keohokalole, Luke, Nakashim, Say and Souki were excused.)

S.B. No. 2106
S.B. No. 2114, SD 1
S.B. No. 2117, SD 1
S.B. No. 2540
S.B. No. 2553

**KA HUA 'ŌLELO O KA LĀ
HAWAIIAN WORD FOR THE DAY**

Representative Tokioka presented *Ka Hua 'Ōlelo o Ka Lā*, the Hawaiian Word for the Day, as follows:

"Thank you, Mr. Speaker. I think it's appropriate in the invocation when we recognized the late Representative Mele Carroll and her work to make sure that we were able to do the Hawaiian word of the day, along with Representative Hanohano.

"So today, Mr. Speaker, we all know that protein is essential to a good diet. And during session it's important that we all take time to eat healthy. One of the best forms of protein is fish, Mr. Speaker. In Hawaii we are surrounded by the Pacific Ocean, home to many species of *pesci*. So in

appreciation to the men and women who provide us with this source of protein, this great source of protein, Mr. Speaker, the Hawaiian word of the day today is *lawai'a*, which is fisherman, Mr. Speaker. *Mahalo ke akua* to our *lawai'a*. Thank you very much."

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Tupola, on behalf of Representative Jordan and herself, introduced Mr. Ken Koike, Waianae Coast Neighborhood Board Member.

Representative Woodson introduced 2016 Ka Ipu Kukui Fellows:

Mr. Monty Agcaoili, Assistant Manager, Richard's Market;
Mr. Bryan Berkowitz, Software Architect, Koa IT;
Ms. Hilary Bingman, Community Relations Manager, Hawaii Commercial & Sugar Company;
Ms. Jennifer Cox, Community Relations Specialist, Malama Maui Nui;
Ms. Jessica Crouse, Project Assistant, Maui Economic Development Board;
Mr. Devin Fredericksen, Olinda Olive Orchard, LLC;
Ms. Tegan Hammond, Maui Coral Recovery Plan Coordinator, Maui Nui Marine Resource Council;
Ms. Tracy Kealoha, Manager, Kamehameha Schools Maui Resource Center in Wailuku;
Ms. Kelly McHugh, Public Information Specialist, Kaho'olawe Island Reserve Commission;
Ms. Mandy Saito, Project Engineer, Fukumoto Engineering, Inc. ;
Ms. Marina Satoaifaiga, Executive Assistant to the Executive Director, Imua Family Services;
Ms. Megan Morrow, Program Assistant and Coordinator for the Baby SAFE Program, Malama Family Recovery Center;
Ms. Nohelani Uu, Project Coordinator, Frampton & Ward;
Ms. Ella Yumol, Human Resources Generalist, Pūlama Lāna'i;
Mr. Marc Takamori, 2015 Ka Ipu Kukui Fellow; and
Mr. Scott Nunokawa, Ms. Lori Teragawachi, Ms. Jeanne Skog and Mr. Troy Hashimoto, Ka Ipu Kukui Steering Committee Members.

Representative Saiki, on behalf of Representatives Belatti, Nishimoto and himself, introduced students, parents, teachers and staff from Washington Middle School.

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 390-16) recommending that H.B. No. 1397, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1397, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NEW MARKET TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 391-16) recommending that H.B. No. 2060, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2060, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the

Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 392-16) recommending that H.B. No. 2063, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2063, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Tupola rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. With the short span of only a year this business has been established, I have reservations for a \$10 million SPRB. Thank you."

Representative McDermott rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm going to cast a no vote on this for reasons that were echoed by my colleague. The company in question came into existence barely 90 days ago. Their parent company provides investment services to foreigners, and is not in good standing with DCCA, which anybody knows only costs about \$20.

"So you would think if you are coming to ask for \$10 million, now I realize the committee report says the dollar amount has been blacked out, but if you're going to ask for \$10 million, you would think that you would have your DCCA paperwork in order. I have my own business, it's like \$20 a year, you've got to file it online. That is a basic principal. These fellas here, based on the information I have reading the bill and my summary notes, tell me they couldn't qualify for \$50 line of credit at Office Max. So why are we even considering them? This sort of thing gives a bad reputation to all of us. When someone comes in for \$10 million and they have only been in existence 90 days, that doesn't pass the smell test. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2063, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST KEAHOLE MANAGEMENT GROUP LLC," passed Second Reading and was referred to the Committee on Finance, with Representative Tupola voting aye with reservations, with Representative McDermott voting no, and with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 393-16) recommending that H.B. No. 2160, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHT POLLUTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 394-16) recommending that H.B. No. 2219, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INNOVATION BUSINESS INTERACTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 395-16) recommending that H.B. No. 2229, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPORTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 396-16) recommending that H.B. No. 2289, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2289, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY-BASED ECONOMIC DEVELOPMENT TECHNICAL AND FINANCIAL ASSISTANCE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 397-16) recommending that H.B. No. 2298, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2298, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDING FOR CREATIVE MEDIA AND FILM DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 398-16) recommending that H.B. No. 2299, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2299, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 399-16) recommending that H.B. No. 2382, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2382, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC-ASIA INSTITUTE FOR RESILIENCE AND SUSTAINABILITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 400-16) recommending that H.B. No. 2545, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2545, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 401-16) recommending that H.B. No. 2550, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 402-16) recommending that H.B. No. 2597, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2597, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, we are going to outer space right, this is about aerospace? Strongly in favor, sir. This is a remaking of our program, if you will. It's to get away from research and development into actual application and marketing and actual setting up of businesses and creation of jobs.

"So, if it gets along the way to be a little bit confused, I just want to be very clear at the second reading, and I know you don't like to bite at the apple at second reading, that this is the new, if you will, phase or stage of the rocket, to really launch it into where people can see substantive development for our economy. So, Mr. Speaker, this is a good bill, it redesigns it, and I am sure the consensus in the Senate is going to be the same as ours. Thank you, sir."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2597, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 403-16) recommending that H.B. No. 2610, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2610, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Matsumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2610, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDITS," passed Second Reading and was referred to the Committee on Finance, with Representative Matsumoto voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 404-16) recommending that H.B. No. 2668, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2668, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second

Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 405-16) recommending that H.B. No. 2669, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2669, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST TRUTAG TECHNOLOGIES, INC.," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 406-16) recommending that H.B. No. 2112 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2112 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative McDermott rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support of this measure. As you know, I've tried to be kind of a watchdog on fees in this body, but this measure really is irrelevant, because anybody can go to the bank where they have a bank account and get free notary services. I haven't paid for notary charges in over 20 years.

"So although this is a fee increase, it seems to be somewhat irrelevant to me and won't impact the consumer so long as they have a bank account or a credit union account. So I support it for those reasons. Thank you."

Representative Jordan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please note my reservations. This measure has a clean date on it, and I noticed in our records here that there was no testimony provided on this particular measure. So where are they coming up with the increased fees? I do understand it's probably been a while, and raising it from \$5 to \$10 seems reasonable, but one of these fees are being raised from \$5 to \$25, Mr. Speaker. So, I'd like to just get a little bit more background on this measure before I can go straight up on it. So, reservations at this moment in time. Thank you."

Representative San Buenaventura rose to disclose a potential conflict of interest, stating:

"I'd like to have a ruling on a conflict. I'm a notary public. Thank you," and the Chair ruled, "no conflict."

Representative Tupola rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2112, entitled: "A BILL FOR AN ACT RELATING TO NOTARY PUBLIC FEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Jordan and Tupola voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 407-16) recommending that H.B. No. 2019, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2019, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS,"

passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 408-16) recommending that H.B. No. 2279, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2279, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker, with reservations. Just very briefly, this is our annual bill for an act making appropriations for claims against the State, its officers, or its employees. For those reasons, I'm with very strong reservations. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you. I almost let this pass by. Same reservations, same concerns."

Representative Belatti rose to disclose a potential conflict of interest, stating:

"May I ask for a ruling on a potential conflict? My law office has a settlement in this bill. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2279, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Har and McKelvey voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 409-16) recommending that H.B. No. 1055, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1055, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ing rose to speak in support of the measure with reservations, stating:

"Strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1055, HD 1, entitled: "A BILL FOR AN ACT RELATED TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Ing voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 410-16) recommending that H.B. No. 1590, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 411-16) recommending that H.B. No. 1046, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1046, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WRONGFUL IMPRISONMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 412-16) recommending that H.B. No. 1688 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1688, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO THE HAWAII COUNTY OFFICE OF THE PROSECUTING ATTORNEY," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 413-16) recommending that H.B. No. 1667 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1667, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representatives Hashem and Morikawa, for the Committee on Housing and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 414-16) recommending that H.B. No. 1958, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1958, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A GENERAL EXCISE TAX EXEMPTION FOR LOW INCOME RENTAL SUBSIDIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 415-16) recommending that H.B. No. 1621, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1621, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AFTER-SCHOOL PROGRAMS FOR PUBLIC MIDDLE AND INTERMEDIATE SCHOOL STUDENTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 416-16) recommending that H.B. No. 2738, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2738, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 417-16) recommending that H.B. No. 1529, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 418-16) recommending that H.B. No. 1940, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1940, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 419-16) recommending that H.B. No. 2224, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 420-16) recommending that H.B. No. 2410, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII ACCOUNTING AND FINANCIAL MANAGEMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 421-16) recommending that H.B. No. 2414, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2414, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII RESEARCH," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Choy, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 422-16) recommending that H.B. No. 2428, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 423-16) recommending that H.B. No. 1599, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1599, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 424-16) recommending that H.B. No. 1663, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PEN REGISTERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Luke, Nakashima and Souki being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 425-16) recommending that H.B. No. 1013, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1013, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EXPERIMENTAL TREATMENTS," was referred to the Committee on Judiciary, with Representatives Luke, Nakashima and Souki being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 426-16) recommending that H.B. No. 1852, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 427-16) recommending that H.B. No. 2082, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2082, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2082, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADOPTION RECORDS," passed Second Reading and was referred to the Committee on Judiciary, with Representative Har voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 428-16) recommending that H.B. No. 2093, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2093, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR GOODWILL INDUSTRIES OF HAWAII, INC.," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 429-16) recommending that H.B. No. 2639 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2639, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS TELECOMMUNICATIONS SERVICE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 430-16) recommending that H.B. No. 2059, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2059, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KEHALANI OFFSITE RETENTION BASIN," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 431-16) recommending that H.B. No. 2680, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2680, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KALOKO RESERVOIR," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 432-16) recommending that H.B. No. 2681, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2681, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAILUKU RESERVOIR #6," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 433-16) recommending that H.B. No. 1843, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FRESHWATER RESERVOIRS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 434-16) recommending that H.B. No. 2069, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2069, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY IMPROVEMENT DISTRICTS," passed Second Reading and was referred

to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 435-16) recommending that H.B. No. 2090, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2090, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 436-16) recommending that H.B. No. 1839, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1839, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DIAMOND HEAD STATE MONUMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 437-16) recommending that H.B. No. 2378, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2378, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST RESERVES VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 438-16) recommending that H.B. No. 1525, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1525, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Luke, Nakashima and Souki being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 439-16) recommending that H.B. No. 2604, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2604, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Luke, Nakashima and Souki being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 440-16) recommending that H.B. No. 2650, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2650, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 441-16) recommending that H.B. No. 2237, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2237, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE INTEGRATED SOLID WASTE MANAGEMENT PLAN," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 442-16) recommending that H.B. No. 1730, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY TARIFFS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Luke, Nakashima and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 443-16) recommending that H.B. No. 2291, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Luke, Nakashima and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 444-16) recommending that H.B. No. 2238, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2238, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII RENEWABLE RESOURCES, LLC," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 445-16) recommending that H.B. No. 2607, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2607, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST PQ ENERGY LLC," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 446-16) recommending that H.B. No. 2567 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2567 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Say rose in opposition to the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Say's written remarks are as follows:

"Mr. Speaker, I rise in opposition to House Bill No. 2567. This measure proposes to establish what is 'substantial net benefit' to the general public regarding utility mergers.

"The Public Utilities Commission (Commission) has statutory authority and discretion regarding Sections 269-7, 269-17, and 269-19, Hawaii Revised Statutes. The standards of the review process provides that:

- (1) The acquiring utility is fit, willing, and able to perform the service currently offered by the utility to be acquired; and
- (2) The acquisition is reasonable and in the public interest.

"Basically, how the Commission applies this standard is part of its discretion in establishing reasonable criteria for consideration in global mergers. And so the Commission in their discretion may incorporate the standard of 'substantial net benefits' in their deliberations and questioning. Their determination will be based on evidence submitted in their proceedings, by experts in the various fields.

"Mr. Speaker, I believe it is far better for the Commission to make this determination rather than layperson lawmakers such as ourselves. The manner in which this term is applied could have drastic and far-reaching impacts to the consuming public.

"For this reason, I respectfully oppose this bill. Thank you."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker, with reservations and just a brief comment. First, I'll note that this bill is clean. But more importantly, Mr. Speaker, I am concerned about the fact that I don't know what substantial net benefit is. It is not defined in this bill, and if it were, it would give us a better understanding. I definitely think the intent is laudable, but until we understand exactly what the criteria is for substantial net benefit, I will have to respectfully go with reservations. Thank you."

Representative Oshiro rose to speak in support of the measure with reservations, stating:

"Also with reservations for the same reasons articulated by the previous speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2567, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Har and Oshiro voting aye with reservations, with Representative Say voting no, and with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 447-16) recommending that H.B. No. 1550, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 448-16) recommending that H.B. No. 1551 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1551, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 449-16) recommending that H.B. No. 1651, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1651, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLASS C FELONIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 450-16) recommending that H.B. No. 1653, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 451-16) recommending that H.B. No. 1954 pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1954 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Jordan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I hate to do this, but since this is a clean measure I am going to have to go with reservations on this particular measure. It was just last year that we reduced the calabash bowl from \$400 down to \$100, and now we have a measure here getting rid of the calabash bowl.

"I'm not quite sure why we are doing this, and reading the Attorney General's testimony, I think we should be very cautious as we move forward at this particular time. Thank you, Mr. Speaker."

Representative San Buenaventura rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Tupola rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1954, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Jordan, San Buenaventura and Tupola voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 452-16) recommending that H.B. No. 2473, HD 1 be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2473, HD 1 be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," was referred to the Committee on Finance, with Representative Ward voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 453-16) recommending that H.B. No. 2554, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2554, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AMERICAN SIGN LANGUAGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 454-16) recommending that H.B. No. 2671, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2671, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE DATA," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Rhoads, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 455-16) recommending that H.B. No. 2357, HD 1 be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2357, HD 1 be referred to the Committee on Finance, seconded by Representative Evans.

Representative McDermott rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I stand in strong opposition. First of all, I want to thank the Judiciary Chairman for his patience and kindness during the hearing. He gave me wide latitude in questioning, always treats us fair, and always treats us, even members of the minority, fully empowered Members with respect and dignity. So I want to thank you, sir, for that.

"During the questioning, Dr. Stan Michaels, who has dedicated his life to children, a pediatrician as a matter of fact, indicated that the population we're talking about here that this bill targets is very, very small. Anecdotally, he said, so you take that with a grain of salt, could be much higher, much lower, he said, 1% to 2% of children come and want this sort of counseling without parental consent.

"Now, when we say 1% to 2%, Mr. Speaker, we are removing to get to that number, and I tried to pin it down under questioning, all the foster children, all the homeless, the runaways, the kids who are on the street are already under the auspices of the State. So, they are not included in that 1% to 2%, meaning the State has already the authority of a homeless child, they pick him up, they can give him the treatment he needs or she needs. And the foster children, the State is the parent, if you will.

"So those children, those highly at risk children, those children who are the most vulnerable of all, are already under the State's auspices. So what we're talking about, Mr. Speaker, this 1% to 2%, are my kids or your kids. These are children who come in who, assumably from a good home, and for one reason or other, according to the pediatrician, they want mental health services but don't want their parents to know.

"So I asked him, I said, well shouldn't parents be part of the solution? He said, absolutely. Well, logically to me it would occur that if you are the pediatrician and a 14-year-old comes in and expresses some grave concerns, you would set up a consult with a child psychiatrist, tell the parents, Johnny or Joanie needs to go see a psychiatrist, I want you to go there with them, and the parents are part of the solution to whatever that problem is.

"Now, if it's a young lady and she is being molested, well, we need to call the cops right away on the dad, right? I mean, something of that nature. But if it's a psychological distress, parents have to be part of the solution, because the child is assumably living with those parents. Parents need to be included in the solution.

"Also what I find troubling is this child is in such distress that can't think logically, can't make rational decisions, and yet at the same time can make the rational decision to, I do want to seek psychiatric counseling or therapy, but don't tell mom and dad. It seems strange to me.

"Now, the State will pick up the cost, which was a surprise to me. I didn't know that, but the State will pick up the cost.

"What is most troubling though to me, someone who served here in the '90s and the 2000s and now the teens, sees that we're building a statutory framework. We're building a statutory framework where we are removing parental rights.

"If you look at last year, we passed the safe places bill. Take the rights from kids, that's one. Two, my little girl can have an abortion without telling me, and I'll never even know about it. Three, I can't see my daughter's healthcare record if she is over 14, if she is 14, unless she tells the doctor it's okay.

"Now four, mental healthcare services. What's next? I am going to put my Nostradamus hat on. There will be another bill next year, chipping away at parental rights again. And within 20 years, the 14-year-old will be totally emancipated from their parents.

"So I just listed four things, although the safe places didn't pass, it's still languishing in the, I guess Finance or somewhere, but it didn't become law as I understand it. Those are four issues that this body pushed forward. Taking away my rights as dad. Yet I get a phone call from the high school. Little Joanie didn't do her homework."

Representative Tupola rose to yield her time, and the Chair "so ordered."

Representative McDermott continued, stating:

"Little Joanie didn't do her homework. By the way, her name's not Joanie, so for the record. But she didn't do her homework. You're calling me about homework. Homework. Yet you want to exclude me from these life altering decisions. Because ostensibly, the 14-year-old knows better than I do.

"Parents have constitutional rights, and that's not a Bob McDermott made up idea, it's actually a right, as articulated by the Hawaii State Supreme Court. The only way you can remove a child from the parent, is if that child is in danger. Danger. That's a very, very high standard, to remove a child from parents. And we are statutorily chipping away at that parent's constitutional right, as articulated by the Hawaii State Supreme Court.

"You see, I've been to family court about 25 times, so I have a pretty good idea as a layman, I'm not an attorney, obviously. But parents have a constitutional right to raise their children, and we're chipping away, all the time. And next year, we'll be back and chip away again. Who speaks for the parents? The decent parents, who want to raise their kids and be included in the decision making process. No family is perfect. My family's not perfect, I'm sure your family's not perfect. We all have challenges and many crises day to day.

"But we keep chipping away at parental rights. And Mr. Speaker, I know it's second reading and you don't want to hear me talk, but I don't get to go

into caucus with you and share my views. I'm not part of that team. So the only way I can share my views with you is right here on this floor, right now. And that's what I am doing.

"Chipping away at parental rights. We do it over and over again. Because the unnamed therapist and the children know better than mom and dad. Mom and dad have a constitutional right to raise their children, as articulated by the Hawaii State Supreme Court. I think we're chipping away at that right, and I don't like it. Thank you, sir."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, for the same reasons as the former speaker mentioned, the nanny state taking over the family, I have reservations, but I yield my time to the Representative of District 43."

Representative Tupola rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. No vote. I just wanted to read this part. "The mental health treatment or counseling services of a minor authorized by this section shall include involvement of the minor's parent or guardian, unless the licensed mental health professional, after consulting with the minor, determines that the involvement would be inappropriate. The licensed mental health professional shall state in the client record whether and when the licensed mental health professional attempted to contact the minor's parent or guardian and whether the attempt to contact was successful or unsuccessful or the reason why, in the licensed mental health professional's opinion, it would be inappropriate to contact the minor's parent or guardian."

"So after speaking with many of the family court judges, because there was one that submitted testimony in support, I think what they are trying to support is not the same thing that's written in this bill. What they were talking to me about was the extreme cases that they find, when there are certain parents that are incapable of saying yes, or unwilling to say yes to give their child maybe substance abuse treatment, because they also have substance abuse problems.

"And so I feel like this bill isn't one of those where exempting those special circumstances, where we need to override the parent's rights, because we've tried, we've tried, we've tried and nothing. This is kind of, at the will of the physician, if they feel like it's right, we should just let them make the decision. So it's a little different than the extreme cases that are being handled by family court.

"And so I see, as one of my prior colleagues said, certain cases where orphans and runaways are already part of the State, they're already covered by the State, those cases are one and the same. But this right here is not the cases that family court is advocating for us to support. And so for those reasons, I feel like we should be making exemptions for very, very specific cases, but not opening the door for any time a doctor sees fit to not consult the parents. Thank you."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Matsumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pouha rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Jordan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. I do understand what populous they are trying to help with this particular measure, and I think that population really needs to be addressed and have these services provided to them. Such as that child that ran away and might not be able to get parents' authority, and they're in a situation that really needs some mental health counselling and can't receive it at that point in time.

"Most of my concerns stem with the Department of Education and how this may lay upon our DOE system. And until I get a little bit more clarity on that, I think that's where my reservations are standing at this point in time, Mr. Speaker. Thank you very much."

Representative McDermott rose to respond, stating:

"Mr. Speaker, just for clarity's sake. I am not talking about the children who are in the court system, who the judge can already deem, you need treatment. Mom and dad, you're not doing the job right, you need treatment. Under foster care or the family courts involved, because the child has been on the street and run away for three months, now we have a family court hearing.

"I am not talking about those children, Mr. Speaker, because I have great faith, great faith, Mr. Speaker, because of my personal experience with family court, in those family court judges making the tough decisions with all the conflicting information. They do a fantastic job and are grossly underpaid.

"So I am not talking about that most endangered population. That's already tangentially under the State auspices, where we have a social worker providing emergency intervention when a child is on the street, lost, using drugs, no parents to be found. I'm not talking about those children, Mr. Speaker.

"And that's where the overreach comes in that my colleague talked about. So I just wanted to make that clear. Thank you."

Representative DeCoite rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Jordan be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Oshiro rose to speak in support of the measure with reservations, stating:

"Reservations please, and may the words of the Representative from Waianae be reflected as my own," and the Chair "so ordered." (By reference only.)

Representative Oshiro continued, stating:

"I'd just like to suggest that perhaps a way of addressing some of the concerns raised, that maybe you might allow the family court to have some decision and authority in these exigent circumstances where a minor needs obviously to receive some mental health services or social services but cannot, because of maybe neglect or deprivation of a parent or guardian. Thank you."

Representative San Buenaventura rose to speak in support of the measure, stating:

"In strong support. There needs to be a way for teens to access mental health. And obviously the need for this bill has come to fruition because our suicide rate is very high. Obviously they could not talk to their parents. I'm a family court attorney, I'm a family law attorney, I know the power of the family courts. And when they can do it, they'll do it.

"The trouble is, by the time they reach the family court, it's already too late. We want to be able to have the teens access these resources, and if this bill does it, then so be it. In strong support, Mr. Speaker."

Representative Fukumoto Chang rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just very briefly, I understand the concerns that my colleagues have raised and I think we do have a problem with sometimes overreaching and cutting off the parents, but I think when we're talking about, as the previous Representative said, going to family court, just to be able to help youth in crisis, I think the dangers of not

acting in this case outweigh the dangers of acting and passing this measure.

"So, I'm still in support. I'm hoping we can tighten things up the way everybody is asking, but at the end of the day, we have a very high suicide rate, and youth in crisis are not being able to access services. So for whatever reason that is, we need to continue to work on that as a body.

"So, if I can also ask for written comments, please. Thank you."

Representative Fukumoto Chang's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 2357, HD 1. According to the Hawaii State Department of Health (DOH), from 2009 to 2013, suicide was the second leading cause of death among children aged 10 to 19 years old. One of the best ways to combat suicide is by providing access to mental health services. Currently, children under 18 years of age must obtain their parents' permission to obtain mental health treatment or counseling. HB 2357, HD 1 would allow minors 14 years old and older to consent to mental health treatment or counseling without the approval of their parents. Hawaii law already allows minors to seek medical treatment for substance abuse. According to the Department of Health, 20 states and the District of Columbia allow for minors to consent to mental health treatment.

"Proponents of the measure cite studies that suggest that parental consent requirements can be a significant deterrent for teens seeking treatment for depression or suicidal thoughts. They argue that not all teens are willing to talk to their parents about suicide or that not all parents understand the severity of depression or suicidal thoughts. Opponents of the measure are concerned that it erodes parental rights; however, HB 2357, HD 1 requires licensed mental health professionals to contact and include the minor's parents unless it's determined that parental participation would be inappropriate, usually in the case of abuse.

"Mr. Speaker, every year, 10 children in Hawaii die from suicide, 53 are hospitalized and 140 are sent to the emergency room due to attempted suicide. This has to stop. HB 2357, HD 1 provides increased access to mental health services to give minors the ability to be heard and helped. It is for all these reasons that I am in strong support of HB 2357, HD 1. Thank you, Mr. Speaker."

Representative Tupola rose to respond, stating:

"I just wanted to commend my colleague from Wahiawa, and just also say that, I think what the family court was asking is that they be able to help draft the language, because it did not come from the court system, the wording for this bill. And I think if it could be worked out in such a way where they were in agreement to what it was and that it came from the judicial body, then we'd be in a better place. I realize the reasoning for pushing the bill forward, but if we can get to that place where it is not opening the gates, then perhaps we have a way forward. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGE OF CONSENT FOR ADOLESCENT MENTAL HEALTH SERVICES," was referred to the Committee on Finance, with Representatives DeCoite, Har, Jordan, Oshiro, Pouha and Ward voting aye with reservations, with Representatives Matsumoto, McDermott, Thielen and Tupola voting no, and with Representatives Luke, Nakashima and Souki being excused.

Representative Hashem, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 456-16) recommending that H.B. No. 2638, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2638, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Jordan rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. With reservations. Although I do support providing additional GO bonding for our public housing, hopefully our director can build some of that public housing that we've been funding \$166 million in the last three years for, but I'll get off that soap box.

"Basically, my concern with this bill is section 2, limiting public housing to five years. And we're not talking about all our 5,000 to 6,000 units of public housing, we are only talking about our state units, roughly about 800 to 900 of those units. Most of those units are occupied by our elderly, although this measure may exempt our elderly from that. That dwindles it down to maybe about 30% of those state units that we're talking about.

"And potentially making people leave in five years. My thought is, five years in public housing is just a little too short. I don't know what that time frame should be for people to live in public housing. Right now, there is no time restriction for living in public housing.

"I understand and thank my chair for bringing this discussion forward, and hopefully we can have a little bit more of that dialogue. Unfortunately, going to Finance, we only talk about finance.

"So, I look forward to see what happens with this measure towards the ending of session. May I have permission to submit additional comments into the Journal? Thank you very much, Mr. Speaker."

Representative Jordan's written remarks are as follows:

"I would like to express my reservations on HB 2638, HD 1. This bill authorizes the Public Housing Authority to impose maximum rental periods of five years for state low-income housing projects which receive state funds for repair and maintenance or capital improvement, provided that the maximum rental periods do not apply to tenants who are disabled or 65 years of age or older; requires rates for the five-year rentals to be fixed for entire term of lease; and establishes a trust account for the Authority to provide matching funds for tenants who are required to participate in the Family Self-Sufficiency Program for those five-year rentals.

"While I acknowledge what the Executive Director of the Hawaii Public Housing Authority noted in his testimony, 'that multigenerational public housing is an issue that truly should be addressed and is one of the main reasons for long waitlists,' I don't believe this bill is the correct approach to address this concern. With an estimated 800 units available for this program and about 75% of those used by elderly or disabled, it does not provide enough inventory to address a Public Housing waiting list of over 10,000 applications. Currently, the Hawaii Public Housing Authority already provides the Family Self-Sufficiency Program to qualified tenants, and should focus on promoting the program to current tenants."

Representative Oshiro rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Reservations on the time limit. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2638, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representatives Jordan, Oshiro and Rhoads voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Kawakami, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 457-16) recommending that H.B. No. 2259, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2259, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC

LEAKAGE," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representatives Ing and Yamane, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 458-16) recommending that H.B. No. 2034, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 2034, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE KAHŌ'OLAWĒ ISLAND RESERVE COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 459-16) recommending that H.B. No. 2179, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2179, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AHA MOKU ADVISORY COMMITTEE," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 460-16) recommending that H.B. No. 2180, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2180, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 461-16) recommending that H.B. No. 2750, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2750, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I have a lot to say in favor this, but with some reservations. Not a lot, just a brief comment. I find it a bit of an odd thing that this bill is for the identification of duplication of Hawaiian housing. Duplication of the services of Hawaiian housing.

"Sounds like an oxymoron. Who's the most homeless population that we got in the State of Hawaii, locally homeless? Hawaiians. How many are on the waiting list of the Hawaiian homes? Twenty-seven thousand. So are we doing duplicative, or we are trying to look at the efficacy of housing for the Hawaiian population, which 96 years ago, the Hawaiian Homes Commission Act, said that we will rehabilitate the Hawaiians by putting them back on the land.

"So, Mr. Speaker, I think it has a good intention, but I think it's prejudiced by something that says there is an overabundance of services for the Hawaiians, because the data says there are not services for the Hawaiians. So unless this is modified for efficacy of the Hawaiians, I don't understand it. Unless it's hopefully leading to where the \$28 million that Judge Castagnetti has asked, not asked, has mandated this body to pay, the Hawaiians will continue to be the most houseless, Mr. Speaker.

"So I would say of the good intention, but it's an oxymoron the way it is written, it keeps using the word duplicative services, duplicative services. When in effect, that community is the one with the least services in terms of delivering housing and actually substantively doing something that we were mandated to do 96 years ago, and in 1959, since statehood, to house the Hawaiian population. And this says it's duplicative. If it was duplicative, there would be so many Hawaiians in excess of housing. The exact opposite is the case, Mr. Speaker.

"For those reasons, I think we have to reexamine what we're doing here, what message this sends out, and what of an oxymoron the way it's written. Thank you, Mr. Speaker."

Representative Ing rose to speak in support of the measure, stating:

"In support. Just to clarify, this is a task force to identify duplicate services. They may or may not exist. But it is in the interest of fiscal responsibility and efficiency of departments, which we should be striving for all departments to have. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2750, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," passed Second Reading and was referred to the Committee on Finance, with Representative Ward voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 462-16) recommending that H.B. No. 2458, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2458, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 463-16) recommending that H.B. No. 1807, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 464-16) recommending that H.B. No. 2226, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2226, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF LANGUAGE ACCESS," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 465-16) recommending that H.B. No. 2227, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2227, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 466-16) recommending that H.B. No. 2693, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2693, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION DIVISION," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 467-16) recommending that H.B. No. 2009, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2009, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Tupola rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2009, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," passed Second Reading and was referred to the Committee on Finance, with Representative Tupola voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 468-16) recommending that H.B. No. 2647, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2647, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 469-16) recommending that H.B. No. 2122, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2122, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 470-16) recommending that H.B. No. 2446, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2446, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION BENEFITS," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 471-16) recommending that H.B. No. 1727, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1727,

HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 472-16) recommending that H.B. No. 1997 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1997, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 473-16) recommending that S.B. No. 2289, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2289, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 474-16) recommending that H.B. No. 2348, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2348, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

Representative Jordan rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Jordan's written remarks are as follows:

"H.B. No. 2348, HD 2 restores the permanently exempt second deputy director position for the Department of Human Services; establishes a secretary, community/project development director, and policy director positions; exempts the community/project development director and policy director from civil service status; and appropriates funds for the newly established positions.

"Exempt positions have been included in state law for as long as there has been a civil service system, although seemingly at odds with the merit principle issued under the Civil Service Law, Chapter 76, Hawaii Revised Statutes (HRS). The merit principle establishes a system of personnel administration in the State and each of the counties that is based on the selection of persons according to their fitness and ability for public employment, and the retention of employees based on their demonstrated appropriate conduct and productive performance. Hiring by merit helps government create a career service that is free from coercive political influences, enabling it to provide impartial service to the public at all times. Similarly in 2006, Act 300, SLH 2006 placed restrictions on creating civil service exempt positions, and required such positions to be reviewed annually to determine whether they should remain exempt or be converted to civil service status.

"This bill has been presented in one form or another this session and over the last couple of years with little success."

Representative Say rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2348, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERMANENT EXEMPT POSITIONS IN THE DEPARTMENT OF HUMAN SERVICES," was referred to the

Committee on Finance, with Representatives Jordan and Say voting aye with reservations, and with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 475-16) recommending that H.B. No. 2351, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2351, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICES PERFORMED BY CIVIL SERVICE EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Nakashima, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 476-16) recommending that H.B. No. 2489 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2489, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Takayama, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 477-16) recommending that H.R. No. 8 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 8, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ASSIST THE STATE IN NEGOTIATING WITH THE FEDERAL GOVERNMENT FOR THE ACQUISITION OF THE FEDERAL DETENTION CENTER, HONOLULU," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

Representative Takayama, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 478-16) recommending that H.C.R. No. 31 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO ASSIST THE STATE IN NEGOTIATING WITH THE FEDERAL GOVERNMENT FOR THE ACQUISITION OF THE FEDERAL DETENTION CENTER, HONOLULU," was referred to the Committee on Finance, with Representatives Luke, Nakashima and Souki being excused.

ANNOUNCEMENTS

At this time, the Chair stated:

"The Chair would like to remind committee chairs that today is the first lateral filing deadline for bills that need to move to their final committees. Please file your committee reports and drafts with the Chief Clerk's Office by 9:00 p.m. tonight, 9:00 p.m. this evening."

ADJOURNMENT

At 12:58 o'clock p.m., on motion by Representative Evans, seconded by Representative Pouha and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 19, 2016. (Representatives Luke, Nakashima and Souki were excused.)