

## FIFTY-NINTH DAY

**Tuesday, May 3, 2016**

The House of Representatives of the Twenty-Eighth Legislature of the State of Hawaii, Regular Session of 2016, convened at 9:16 o'clock a.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Ms. Kauai Lucas of the Office of Representative Gregg Takayama, after which the Roll was called showing all Members present.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Eighth Day was deferred.

## GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1133 through 1146) were announced by the Clerk and were received for possible consideration at a later date:

Gov. Msg. No. 1133, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2921, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE." (ACT 033)

Gov. Msg. No. 1134, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2916, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 034)

Gov. Msg. No. 1135, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2914, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT ORDERS TO PROVIDE MEDICAL TREATMENT IN CORRECTIONAL FACILITIES." (ACT 035)

Gov. Msg. No. 1136, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2912, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATEWIDE INTEGRATED SEX OFFENDER TREATMENT PROGRAM." (ACT 036)

Gov. Msg. No. 1137, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2906, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SECTION 13 OF ACT 380, SESSION LAWS OF HAWAII 1997." (ACT 037)

Gov. Msg. No. 1138, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2675, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LICENSING." (ACT 038)

Gov. Msg. No. 1139, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2660, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUREAU OF CONVEYANCES." (ACT 039)

Gov. Msg. No. 1140, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2607, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STUDENT DATA MANAGEMENT." (ACT 040)

Gov. Msg. No. 1141, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2565, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY." (ACT 041)

Gov. Msg. No. 1142, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS." (ACT 042)

Gov. Msg. No. 1143, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2552, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS." (ACT 043)

Gov. Msg. No. 1144, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2383, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HEALTH CONNECTOR." (ACT 044)

Gov. Msg. No. 1145, informing the House that on April 29, 2016, the following bill was signed into law:

S.B. No. 2163, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS." (ACT 045)

Gov. Msg. No. 1146, transmitting his statement of objections to S.B. No. 2181, SD 2, HD 2, as follows:

"EXECUTIVE CHAMBERS  
HONOLULU  
April 29, 2016

## STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2181

Honorable Members  
Twenty-Eighth Legislature  
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2181, entitled "A Bill for an Act Relating to Access to Treatment for Terminally Ill Patients."

The purpose of this bill is to enable terminally ill patients in Hawai'i to obtain from manufacturers investigational drugs and biological products that have not yet been approved by the United States Food and Drug Administration (FDA) for general use. This bill also shields practitioners who recommend investigational drugs to their patients from liability and the heirs of patients who receive investigational drugs from claims of responsibility for the costs of those drugs in the event of the patient's death.

This bill is objectionable because the FDA's existing "expanded access program" (also known as the "compassionate use program"), which this measure seeks to circumvent, already serves to increase access to investigational drugs for patients under the care of a physician while preserving the approval process, treatment data reporting, and other patient-centered safeguards. The regulations associated with this program were amended in 2009 and should be allowed a chance to be fully implemented and further publicized. While admirably seeking to increase access to potentially life-saving drugs, this measure unreasonably compromises the consumer protections provided by the FDA's expanded access program. The federal system of regulations that govern the sale and distribution of new and investigational drugs is also instrumental in the development of beneficial drug products. Interference with that system will likely have the unintended consequence of delaying development of

those potentially life-saving drugs. Additionally, this measure unreasonably intrudes upon a system of federal law in violation of the Supremacy Clause. Since the sale and distribution of new and investigational drugs will remain federally regulated whether or not this measure becomes law, it is also unclear what actual benefits would accrue to patients in Hawai'i.

For the foregoing reasons, I am returning Senate Bill No. 2181 without my approval.

Respectfully,  
/s/ David Y. Ige  
DAVID Y. IGE  
Governor of Hawaii"

### SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 712 and 713) were received and announced by the Clerk:

Sen. Com. No. 712, dated April 29, 2016, informing the House that the following bills have this day passed Final Reading:

H.B. No. 1585, HD 2, SD 1, CD 1  
S.B. No. 2540, HD 1, CD 1  
S.B. No. 2861, SD 2, HD 1, CD 1

Sen. Com. No. 713, dated April 29, 2016, informing the House that the Senate has on April 28, 2016, reconsidered its action taken on April 14, 2016, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2823, HD 1

### INTRODUCTIONS

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

Representative Ward introduced Mrs. Laura Thompson, wife of Myron "Pinky" Thompson and mother of Nainoa Thompson.

Representative Takayama introduced members of the Hawaii AARP.

Representative Hashem introduced his constituent, Jeannine Johnson.

Representative Cullen introduced from UPW: Al Lardizabal and Florence Kong Kee.

Representative Pouha introduced his friend and mentor, Malia Gray.

Representative Matsumoto introduced her intern, Asanet Aloyan from Armenia; and Representative Ito's intern, Loan Nguyen from Vietnam.

Representative Takumi introduced public charter school leaders: Daniel Caluya, Na Wai Ola PCS; Leigh Fitzgerald, Hawaii Technology Academy; Kaleimakamae Kaauwai, Kawaiikini PCS; Susan Osborne, Kua O Ka La PCS; Jerelyn Watanabe, Myron B. Thompson Academy; Kamaka Gunderson, Ke Ana La'ahana PCS; Kapono Ciotti, Waialae Elementary PCS; Ed Noh, Lanikai Elementary PCS; Jeannine Souki, Hawaii Public Charter Schools Network; Denise Espania, Malama Honua; and Yvonne Lau, Hawaii State Public Charter School Commission.

At 9:26 o'clock a.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:27 o'clock a.m.

### ORDER OF THE DAY

#### SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pouha and carried, the rules were suspended for the purpose of considering certain House and Senate Bills for Final Reading by consent calendar.

#### UNFINISHED BUSINESS

##### Conf. Com. Rep. No. 140-16 and H.B. No. 1700, HD 1, SD 1, CD 1:

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1700, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise to speak in support of House Bill 1700, HD 1, SD 1, CD 1. This is the budget for the executive branch. Mr. Speaker, first of all, I would like to introduce the hard working finance staff, and I am proud to say this is probably the first year where I can actually say their names without actually looking at my notes because I know every one of their names. With 20 people on your staff, a lot of times I forget a lot of their names, but I can actually say I know every single one of them.

"Every year I think that the class is special, but this class has been especially special. We didn't fire anybody, first of all. Well, maybe the front staff, but that's something else. But this group was very special. They got along really well, they watched each other's back, and they were there as support for each other and for the House as well. So I wanted to introduce them.

"First of all is my office manager, Julie Yang, who is the rock. So when I call your name, if you can stand and if the Members and the audience could refrain from clapping until we introduce every one of the 20 hardworking folks. So Julie Yang, Jo Hamasaki, hiding somewhere. Brandon Marzan, working in the front office. Kay Mochizuki, she also worked in the front office. Kim Duong and Joy Nakashima, they were the ones instrumental in putting a lot of the bill testimony and worked really long hours to make sure that the Members had all the information for various hearings.

"On the bill section, led by of course Randall Hiyoto and his right hand person Stacey Tagala. They fight like crazy, but we know they love each other. Alana Folen, Kuuipo Aki-Siler, Angela Mooney, Sheryll Yotsuda, who is a returnee and we love to have her. And on the budget side, led by Alberto Vargas. The CIP specialist and he also did a lot of operating budget as well this year is Derek Shigano. Aj Khandaker, who just never met a food that he didn't like. Daniel Park, Julian Downey, Sean Patrick, Bethany Foo. Matt Tsujimura, I think he is at school but he returned several times and he has been really instrumental in a lot of the budget as well. And of course, the chief, Nandana Kalupahana, he is hiding with the press folks next to Kevin and Nathan there. So, if we could give all of them a round of applause.

"Thank you very much. And look how good they are still standing up. Okay, you may sit down now. But they work long hours. Sometimes I would stay here till midnight and they were still here, and they are just so hardworking and I appreciate every one of them. I'm going to miss you folks when you leave in a few weeks, but feel free to come by and say hello to everybody, because we have come to be very tight and close. So thank you very much for all your hard work.

"And next of all, I would like to thank Chair Tokuda and her staff, especially Calvin Azama. He's no stranger, he knows the intricacies of the Legislature, and I always think he knows some of the secrets from the House so I'm always suspicious. But her staff works really hard, and her staff along with our staff, they put in some long hours, so we want to thank her. She was a tough negotiator, but she just found ways to navigate

through the various needs of our state, so I want to thank Chair Tokuda personally."

Representative Cullen rose to yield his time, and the Chair "so ordered."

Representative Luke continued, stating:

"Thank you very much, Representative. I also want to thank the members of the Finance Committee, especially the vice chair. He is the one who put levity in situations where we get pretty tense at times. He criticizes me and he thinks he can say whatever he wants and I endure it and I don't know why. Can I have a new vice chair? But he is actually the one who keeps me grounded when I want to lash out, because my Korean side comes out. And he is the one who tells me, okay, that's very bad, so you should calm down, count to ten and then do a decision. You would think between me and him I am the calm one and I am the reasonable one, but one out of maybe 100 times he is the one who keeps me grounded. So a special thanks to the vice chair, although I'm taking names for next year.

"I do want to thank every single one of the Finance Committee for their diligence and hard work. Each one of them add valuable insights and perspective and I want them to know that I appreciate them very much. It's amazing, you have different folks who come with different backgrounds. Even our freshman class, we have a very independent business woman who knows agriculture, and you have a philosopher, and you have somebody who works with various DLNR and Native Hawaiian sectors. These folks bring different perspective. And then you have people who do tax items, and you have people who have very intricate knowledge in human services and health. You know who I'm talking about, even if he's ignoring me right now. These folks all bring so many perspectives and I want to thank them for adding so much more to the discussion in Finance. So if we could give all the members of the Finance Committee a round of applause as well.

"My special thanks goes to the CIP Chair for his hard work on the CIP budget. People know it has been an extremely challenging year for CIP. This year seeing his work, every year I get impressed but this year I was especially impressed and I have gained so much respect for the CIP Chair. I always say this, but people have no idea how many projects there are. You think navigating through the operating budget is tough enough, but he's the one who has to deal with peoples' needs, various needs. Not just the individual legislators but the different departments. To sort all that out and come out with a balanced budget, I just think it's mind boggling. He just spends countless hours looking at his big screen, which he loves. He just loves, loves to just stare at his, I don't know, the 40 to 50 inch screen in front of his desk. And I think only he can really love, love this job. So if we can thank the CIP Chair for the countless hours that he has spent.

"And of course I would like to thank the GIA Chair. This year he vetted over 270 GIA applications. He went through an extensive process to select the non-profit organizations that will best serve the needs of the State. And I know during session and prior to session he's like everyone's best friend. All the non-profits go to him and somehow he finds the way to know all these interesting details about every single application, which I have no idea where he gets it from. But he has this chart where he knows where they get money from in the past and then where else they get money from, either the counties or through the State. He just has so much knowledge. But he vets through a huge number of applications and he finds a way to select organizations that will best serve the needs of the State."

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

Representative Luke continued, stating:

"So as I have stated in the past, I have the utmost trust and faith in the GIA Chair, and I want to thank him again for his great work, and if we could give him a round of applause.

"Mr. Speaker, I would like to thank Governor Ige and his administration for their cooperation. We were in constant communication and his accessibility helped thwart a lot of possible breakdowns, so I want to thank him and his administration. Sometimes he's watching, so Governor Ige,

thank you for being a friend. Even if I'm harsh on your departments sometimes, I know he knows we all have the State's best interest in heart.

"Mr. Speaker, this budget along with the bills we will pass today address some of the most critical needs in our state. This past year, the State had to deal with the outbreak of dengue fever, resulting in more than 250 confirmed cases. The State is now faced with the possibility of the risk of the Zika virus. An outbreak would have significant impact to not only the health and safety of our citizens, but also would devastate our economy. The Department of Health did its best to address the problems and has been somewhat successful in containing the outbreak to Hawaii Island. However, it became very evident that the 2009 recession and the resulting budget cuts to the Department of Health left the department in a tenuous situation in its ability to control the outbreaks effectively. Mr. Speaker, this budget provides an additional 20 positions to the department's vector control branch, and an additional \$1.2 million, bringing the total to 45 people to control populations of animals and insects that spread diseases. This is a huge step towards ensuring the health and safety within our state.

"I just wanted to thank the Big Island delegation, because they are the ones who really called upon the department to do work and do more than what they are supposed to do. So the Big Island, it seemed like the last year they got hit with everything. They got the hurricane, they got the lava, now they got the dengue fever, and then now I'm going to talk about invasive species. It seems like the Big Island gets everything. So the Big Island delegation, they have so many needs that they need to fight for, and this is one of the ones that they did. So my thanks goes to the Big Island delegation for bringing this important issue to our attention.

"So moving on to invasive species, which really a lot of it is a huge state problem, but again, we see more problems on the Big Island. And it continues to plague our island communities. When this Finance Committee, thanks again to the Big Island delegation, visited Hawaii Island, we saw firsthand the devastating effects of the growth of albizia trees. These trees are highly invasive and threaten many of our rare and endangered plants. This budget, thanks to the efforts of the Vice Chair of Agriculture, provides \$1.5 million in general funds for albizia eradication efforts. This funding will be used as a coordinated effort by the stakeholders, including county and the utility company to address this problem.

"Also this session, we have learned about the effects of a fungus on the State's *ōhi'a* plants. So along with what we're doing in the budget, House Bill 2675 provides research funding to help combat the negative impacts of the spread of disease which cause Rapid *Ōhi'a* Death. We must continue to be vigilant in our fight against these invasive species.

"In 2010 through Act 73, the Agriculture Chair ensured that a portion of the barrel tax was allocated to address food security and sustainability. Since then, the use of this barrel tax by the Department of Agriculture has been somewhat questionable."

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

Representative Luke continued, stating:

"This year, in order to fulfill the vision set forth by the Agriculture Chair, this budget provides \$700,000 for flower and produce research and evaluation, and a statewide risk assessment of ports of entry susceptible to invasive pests. When the Agriculture Chair created this food security and sustainability program in 2010 he had a great vision, and I think it's our obligation to continue that vision, so if we could give the Agriculture Chair a round of applause.

"The increased regulations by the federal government on our small farmers to comply with food safety have taken a toll. This was something that the good Representative from Molokai has alerted us. Therefore, along with the food security funding in the budget, House Bill 2582 will provide additional funding and positions to assist with the federal food safety certification program. Thank you, Representative.

"Mr. Speaker, during the interim, Chair Tokuda and I were part of the Governor's Leadership Team on Homelessness. Through that participation

I learned that there are many efforts to address the issue of homelessness in Hawaii, but efforts are siloed and compartmentalized, and the lack of coordination between the State, the counties and the non-profit organizations became very, very evident. Limited data, duplicative efforts and the lack of vision led to a lot of money being spent without true results.

"This budget takes a different approach to tackle this tough issue. Rather than funding itemized services and programs for a specified amount that is usually the practice for most of the executive budget request, this budget funds a lump sum amount of \$12 million to address homelessness. This is more than the \$9 million that was requested in the executive budget for specific programs. So instead of providing limited funds for Housing First, or rapid re-housing, or enforcement efforts, or outreach programs, what we're doing is we're tasking the Governor's homeless coordinator and the Department of Human Services to put in place a strategic plan to utilize the \$12 million based on best practices. We believe providing this flexibility will allow the department to act quickly and efficiently to address the problem.

"Early learning prepares our young *keiki* to be ready for school when they enter kindergarten. However, affordability has been a major stumbling block for families who want to send their children to preschool but can't afford to do so. For the last few years, the State has provided \$6 million to fund Preschool Open Doors, which provides vouchers for low-income families who want to send their children to preschool. With \$6 million, the State was only able to take care of about 1,200 kids. However, every year over 2,000 applications come in for people who want to participate in this program. This budget for the first time since 2013 will increase that funding from \$6 million to \$10 million, significantly raising the number of children served from 1,200 to 2,000 every year. We want to ensure that affordability will not be a barrier for low-income families who want to send their children to preschool.

"Education funding through the Weighted Student Formula was created in 2004 as part of Act 51 by the Education Chair. This funding mechanism was a visionary effort to provide schools with more control and flexibility over their allocated money. Since then, many adjustments to the weights have been made. However, for some schools, adjustments have not been enough, and they struggle with hiring more staff and paying for expenses. This year this budget provides an increase of \$16,537,791 to the Weighted Student Formula, which increases the per-student base amount, and put additional weights on K-2 class size, the economically disadvantaged, and gifted and talented, among others. This is the largest increase to the Weighted Student Formula since its inception."

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

Representative Luke continued, stating:

"Thank you, Representative. It will assist struggling schools to pay for personnel and student needs. Before I go on I just wanted to recognize the Education Chair, it was his vision to put local control back in the schools, and hopefully with the additional \$6 million we will ensure that schools won't struggle to pay for a lot of these staffing and services that they continue to struggle with. So, I know it's long overdue. He created this in 2004, we're continuing on his vision, so if we could give the Education Chair our thanks for his hard work. He's so shy.

"But also every year, teachers pay out-of-pocket for supplies and classroom needs. This budget provides \$500,000 to assist schools with such needs. For some schools, recruiting and retaining good teachers has become challenging. Constant overturn of teachers negatively impacts student learning. Thanks to the efforts of the Vice Chair of Education, this budget for the first time in several years fully funds the Teach for America program, which is vital to the recruitment and retention of teachers, especially in rural areas. Thanks, vice chair.

"Taking care of the beneficiaries of our host culture is not just a legal obligation but a moral one. The Nelson case highlighted this responsibility. This budget provides close to \$24 million in general funds for the Department of Hawaiian Home Lands. This is by far the largest amount of

general funds allotted to the department. However, the Nelson case only addressed administrative and operating expenses, and rejected the notion of a constitutional obligation to provide expenses for infrastructure funding. In order for the department to sufficiently serve the beneficiaries, it not only needs administrative costs but infrastructure funds as well. Therefore, this budget provides \$14 million in CIP funds to pay for maintenance and repair needs, bringing the total allocation to DHHL to over \$38 million this year. We will continue to work with the department to ensure that the needs of the beneficiaries are met.

"The State has a responsibility to care for our *kūpuna*, and I'm glad a lot of folks from AARP are here. The budget provides \$3 million for Kupuna Care, but in addition to that, House Bill 1878 allocates \$1.7 million for the Aging and Disability Resource Center throughout the State to provide prompt referrals and essential services to our *kūpuna*. Furthermore, with the passage of House Bill 1943, for the first time since 2009, thanks to the efforts of the Chair of Human Services, long-term care providers, including hospital and community care foster family homes, will receive an inflationary increase in the amount of \$1.55 million with \$1.77 million in federal matching funds for reimbursement to care for Medicaid patients. This is a huge step in caring for our elderly population, and my special thanks goes to the Chair of the Kupuna Caucus and the working group, so that is the Chair of Public Safety and working group members, Chair of Health, for their continuous efforts to fight for the needs of our elderly.

"Mr. Speaker, you have heard me several times criticizing the departments' practice of holding back vacancies to pay for retiree benefits. In this budget, we have now established vacation payout funds in almost every department. The amount appropriated to the Department of Human Services totals more than \$1 million. That means that DHS had to refrain from hiring \$1 million worth of positions just to pay for retiree benefits. What began as a novel idea met with skepticism is now embraced by the departments. We are hopeful that the departments will now fill those needed positions, and at the same time will continue to be vigilant in eliminating vacant positions that the departments have failed to fill."

Representative Johanson rose to yield his time, and the Chair "so ordered."

Representative Luke continued, stating:

"In 2013, this legislature had the courage to pass Act 268. And due to the act of this legislature, we made a commitment to reduce the State's unfunded liability by pre-funding retiree OPEB obligations. Under this act, by year 2019 the State would pay 100% of the ARC, stabilizing the State's obligation for the future years. For fiscal year 2017, the budget that we're working on, the state planned to meet 60% of its obligation under Act 268, which is equivalent to \$245 million. Rather, this budget appropriates instead of 60%, 80% of the ARC, amounting to an additional \$81 million, for a total contribution this year of \$327.7 million. This will ensure that our future generations will not be saddled with today's debts. In addition, allocation of \$150 million to the Rainy Day Fund and House Bill 2317 further ensures that the State has the resources during an economic downturn.

"Mr. Speaker, I think together this session, you look at what we passed in the budget and all the bills that we'll be passing today, I think we have something to be proud of. So many different needs and so many critical issues have been taken care of, and so many Members of this legislature and the Senate have worked so hard to take care of the true issues and true needs in the State.

"So I am proud to present this budget for your consideration, and I want to thank the Members of the House for their hard work this session. Therefore, I respectfully submit this for you and your Members' consideration. Thank you."

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

"Mr. Speaker, I rise in support with reservations. Mr. Speaker, I agree with many of the things that have just been said. One might say it's gilding the lily a bit, but there are a couple of flaws in this budget, Mr. Speaker. I

wish to point out a couple of those other than, generally when you have a good budget, whether you're a family or a state or a nation, you don't spend more money than you have. This budget is \$400 million over the top. That's a structural flaw. And assuming that we do have some difficult times coming, we have to be very observant not to overspend.

"The other flaw, Mr. Speaker, well, let's say a constituency that may be missing, Mr. Speaker, is spoken to by this headline. It says, 48% of the people of Hawaii are walking a financial tight rope. Forty-eight percent of our people are one check away from homelessness. I don't see in this budget that we have considered fully the economic direction that we've had in the past. We have median income of \$42,000, we have people working two and three jobs. We have an economy that is based upon the visitor industry, we do not have high paying jobs, and the visitor industry is a very volatile one. So, Mr. Speaker, I would've preferred that we saw a bit more vital economic development for us. And there's a couple of things in manufacturing and innovating, but it's not robust, and that's the fear that I have, Mr. Speaker. That so many of our people, 48% are one check away from homelessness. That is shocking. Are we really doing our job if half of our population, half of our constituencies, are one check away from homelessness? That is a shame. I don't think it's conscionable as Representatives that we should be able to do that. Ok, that's one constituency that may be missing.

"Another way this bill could've been better cast is if we would not have cheaply funded DHHL. And all of you know that this is the first time I've not been on the conference committee because I voted against the budget because I felt very strongly that the \$7, \$8, \$10 million, now we're up in the \$20s if you count a lot of the positions that have been given. But, Mr. Speaker, we have short changed what otherwise is a legal and constitutional obligation.

"So rather than just praise, I think we should be critical, Mr. Speaker. Let us be mindful that Hawaii is a renting state. More people rent than own, Mr. Speaker. That means the Hawaiian community is even more prone to homelessness because the amount of people who are renting. We don't have the homeownership of the mainland, which is 60%, almost 70%. People can say there's a piece of land or a house that they can call their own. And that's why, Mr. Speaker, in the beginning in 1920, when our Congressman Kalaniana'ole, a Republican, said, we want to have an Organic Act. And it was passed unanimously.

"I love Senator Akaka, he's probably one of the most genuine, respected people in this nation. But, Mr. Speaker, he couldn't get the Akaka bill through, but Kalaniana'ole got through the Organic Act in 1920. But to this day, Mr. Speaker, we've only put less than 10,000 people on the land, of which 203,000 acres have been designated. Mr. Speaker, that is almost as shameful as having half of our people one check away from homelessness.

"And Mr. Speaker, I wish to correct the learned Chair of Finance. She said that Castagnetti rejected the constitutional obligation of her decision in her ruling. Mr. Speaker, that is something I think that the Speaker bought and others have bought to think that we are not obliged to abide by that decision. Mr. Speaker, there's nothing farther from the truth in that. Because it's very clearly spelled out in findings of fact number 4 that we are obliged to pay \$28,478,966. What the learned chair forgot to mention in the Castagnetti ruling is that she changed three sentences out of 40 pages as a way of respecting this body as a separate and equal Member of the Legislature."

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

Representative Ward continued, stating:

"I don't think I'll go 25 minutes, though, as we had the previous speaker. Mr. Speaker, the point is, Judge Castagnetti changed three sentences in her 40 page decision. So by mere wordsmithing, this body, our leadership has taken that to mean that, oh, we are not obliged to do what the constitution says, which in 1978 they made 'may' sufficiently fund to 'shall' sufficiently fund, Mr. Speaker. That's very real. Shall means a lot to this body. We are all wordsmithing. But when you change three sentences out of 40 pages and you say, oh we've turned it on its head, Mr. Speaker, that isn't correct. It is simply incorrect.

"And, Mr. Speaker, I know I'm not saying anything new to the Speaker who is from Maui, who is not on the podium, but two weeks ago I wrote him a letter. And I said, the first purpose of this letter is to note that time is of the essence and we are fast approaching the 2016 May 5 deadline. This was written on the 20th of April. I said, the second purpose of the letter is to caution you that this legislature, if it does not comply to the court order, we, you, me, the Governor, the Legislature will be in contempt of court. Then, Mr. Speaker, I said, I encourage you, no, I beseech you, to stop this fighting against the Native Hawaiians and provide them with the housing and the lands that were mandated by the U.S. Congress 96 years ago, by the State of Hawaii 1959, and legally brought to the floor under the Nelson case that we have underfunded the DHHL.

"How else can you explain, after nine decades, only slightly over 9,000 leases have been issued and 27,000 Native Hawaiians remain on the waiting list, Mr. Speaker? We've got maybe 6,000 to 10,000 homeless people, we've got 27,000 people on the wait list. About 60,000 Hawaiians have half, in terms of the blood quantum, to qualify. Are we doing a demographic run out the clock, Mr. Speaker? Because as intermarriage, and everybody gets intermarried in Hawaii, but as Hawaiians dilute their population, are we trying to propagate this by not having people eligible? I think that's a very callous way of looking at it. But the longer we delay, the less people are going to be eligible for Hawaiian homes, and the more who are on the waiting list are going to pass away, Mr. Speaker. That's a shame. That was letter number one to Speaker Souki.

"Letter number two was written just last week, and I put a headline on this one. I said, countdown to contempt of court, four days remaining. I reminded him of the letter that I wrote on April 20th and then I said, it is therefore timely again for a sign of good will through either the budget conference committee, topping of the executive budget with the constitutionally mandated \$28 million for DHHL, or the appropriation bill by the Representative from District 13, which I believe was HB 1932. I end by saying, please know there is a legal team waiting on the sidelines until May 6th and will surely be proceeding with as much legal energy and astuteness that led to the Nelson case and the Castagnetti decision that is now being ignored by you. Please save taxpayers money by avoiding further litigation.

"Mr. Speaker, the bottom line is, we are on a collision course by passing this bill without \$28 million in it. It is very clear that the Castagnetti decision is being misinterpreted by this body, it's very clear that we are giving rhetorical excuses for not having our congressional as well as constitutional and statehood obligations to fund the Hawaiian home lands.

"My request may have been ignored, Mr. Speaker, but let me say this very unequivocally. The Native Hawaiian Legal Corporation is very serious in pursuing this. I don't represent them, I don't have a conflict of interest in them. But I see a new generation of Hawaiians, bright, young, legally grounded. We're going to pursue this and they're going to bite our heels until, like OHA did with us, until we pay up.

"So, Mr. Speaker, the point is, the sooner we can do this, the sooner we can do a \$27 billion budget like we're passing today and leave out \$8 million or \$28 million for the Hawaiians and then beat our chest and say we did a great job, when these people have waited for 96 years and there is 27,000 of them waiting, I think we need to look at those people and apologize to them."

Representative Pouha rose to yield his time, and the Chair "so ordered."

Representative Ward continued, stating:

"You know, they say you give a politician a microphone, they'll never sit down, but I would actually have just finished my speech. I thank you, Representative. And I want to say, Mr. Speaker, time is of the essence, and we are having a legal battle ahead of us. I don't think it's going to cause us to come back into special session, this is an election year, but I think we have to take very seriously what the Native Hawaiian Legal Corporation, what the recipients or the beneficiaries who are now getting organized are doing. Mr. Speaker, we haven't heard the last of this, but the way that we've gilded the lily by saying we did first thing and gave them the most money ever, Mr. Speaker, that is not fair, it's not just. I think we really

have to contemplate the future of the Native Hawaiians in the State of Hawaii, and we should start right here, right now, and legally with the Nelson case. Thank you, Mr. Speaker. Thank you all for listening."

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

"Thank you, Mr. Speaker. In support. I'd like to just mention that I sincerely appreciate the support for DHHL from the learned Representative from Hawaii Kai for now supporting such generous and now constitutionally mandated funding for housing for Native Hawaiians. He is right, this body should fund DHHL. And it could have funded DHHL, it could have funded DHHL in the 2000s when this body passed budgets where DHHL operating funds never exceeded \$1.3 million and were under the leadership of a Republican executive branch that funding was zeroed out. Zero dollars. So again, much *mahalo* to the Representative from Hawaii Kai for the change of heart. It only took a Supreme Court case and 26 years. Thank you."

At this time, the Chair stated:

"Members, I apologize. We've got to keep proper decorum, so please, proper decorum."

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

"Proper decorum and I'm up. How appropriate. The Speaker, he was going to appoint me caucus couch control officer, so I appreciate that. I stand in support with grave reservations. In order to cut my time down, and I hope I don't cheat the Members out of hearing my wonderful oratory, but I would like to ask a special favor, Mr. Speaker. And that is my remarks from second reading be reprinted, not entertained by reference. Because if they're entertained by reference, I have to repeat it all again, and I'm sure my colleagues don't want to hear that," and the Chair "so ordered."

Representative McDermott continued, stating:

"Thank you very much. So that I can get away from all the statistics. I certainly like the Finance Chair, support the Finance Chair. The Finance Chair has done a wonderful job with this huge document. I remember when the Finance Chair became Finance Chair, we greeted each other in the hall after 10 years of me being out of office, it was very warm. So I have nothing personal against the Finance Chair. I have nothing personal against the legislators from Maui. The Speaker of the House I have great affection for, the CPC Chair has grown on me and I have really come to like these individuals. So it's nothing personal. I want the Members to know that. In fact, I don't even know where any of these district lines are over there, who represents what area.

"My challenge is that we have exigent circumstances, an emergency situation, in West Oahu. And ground zero is Campbell High School. This is a bipartisan view point, Mr. Speaker, demonstrated by the fact that it was the Governor's number one priority, \$31 million, he put it in the budget. He put in zero for the Maui High School. And the reason I use the Maui High School is it's because it's a nice to have, it's not a need. The analogy I will put in is, there are two patients in the emergency room. One guy's had the flu for 12 hours and he's been waiting to see the doctor. It's his turn, but in comes somebody with a compound fracture. You have to prioritize. So you take the compound fracture, because it's an emergency situation.

"We have a finite pot of money, Mr. Speaker. And Mr. Speaker, we are not addressing the need of Campbell High School. In fact, it's less than half of what the Governor asked for. The Democratic Governor asked for \$30 million. This is \$12 million, it's way underfunded for the requirement that will be cresting in about two years. What saddens me is that this is a deliberate decision we've made. We have the facts in front of us and we have made a deliberate decision, which is going to have impacts two, three years down the road.

"Now, I've asked Ms. Matayoshi what her number one priority was in writing, she would never reply to me in writing what it was. Now my good

friend and colleague from Ewa Beach said that she did articulate it in a Finance Committee hearing that Campbell High School was the department's number one priority. And if he said that, I believe him. So the question is this. If it's the Governor's number one priority, and he doesn't even mention Maui, Kihei High School, and it's the DOE's number one priority, how come it's not ours? How come we don't even fund it half way?

"The reason it's so expensive, Mr. Speaker, \$31 million, is you have to go up. There is no room on campus, because 44 portables are already there. Mr. Speaker, the school is so crowded, they have to start lunch service at 9:30 in the morning. Lunch, to get all the kids through. Now we know these facts, and yet we chose, chose to ignore them in part. It's a matter of needs versus wants. I want every kid to have a brand new high school. I want every kid to have a wonderful learning facility. But we have an emergency situation. I can tell you honestly, I would never argue the opposite. I would never stand here and say, you know what, Campbell needs a new high school, I don't care if your enrollment is over 3,000, you've got 500 more kids coming in the next three years, doesn't matter, I've waited my turn, we're first. I would never do that. And you know what, I would be laughed out of this building if I did it. Particularly as a Republican. I couldn't do it. I couldn't do it."

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

Representative McDermott continued, stating:

"Thank you. So it is with a heavy heart and disappointment that, how do I go back to my community and tell them we got \$12 million? Well, it sounds like a lot, but it's half of what's needed. What does the principal think, what does the vice principal think, what are they supposed to think of us, that we've turned our back on them? This is the most urgent need in the State for DOE by far and we are not funding it. What do we do two or three years from now when there is no more classrooms, there is no space? Do we send them to the gymnasium and kind of like put up dividers? I mean, I don't know.

"The Governor did release \$5 million for the new West Oahu High School that Representative Cabanilla worked so hard to get a few years ago and that's out there now, but the DOE is so dysfunctional they don't even have a site selected. And I notice in the budget here, a new Kapolei secondary school. So this is ostensibly to work with that \$5 million, I guess, \$1,000 appropriated. One thousand dollars, a one, a numeral one, I've never seen it before. That's like a slap in the face. We're not taking it seriously. We have an emergency situation on the west side, and I don't know why it's not being addressed. I just don't know. I have some ideas, but I don't know why it's not being addressed.

"I have gone over this material *ad nauseam*, and this will be a test for our Governor, who said he's a methodical decision maker and looks at all the pros and cons. Well, when he's going for a re-election, the enrollment's going to begin to crest in our west side. He's been alerted by me, I've talked to his chief of staff, I've written him numerous letters. Will he release this money? That's the question. Because in two years, you can't go to West Oahu with a whimper and say, I'm sorry. I want him to call us back into special session and finish this. We need to fully fund this requirement. And I'm going to write him a letter today asking him to do that, so he's on record.

"But with that, Mr. Speaker, I have a heavy heart, I am extraordinarily disappointed. Sometimes when you come down here, you think that the facts will carry the day. The facts. The facts are clear in this case and I would never argue the reverse. I couldn't, in good conscience. The facts, Mr. Speaker, the facts say that Campbell High School should have a full \$30 million building. It's getting \$12 million, it's not enough, I'm extraordinarily disappointed, I'm beyond angry at this point, I'm resigned to the fact that we're going to have a disaster on our hands in two years. And all I can say is, I told you so. Thank you."

Representative McDermott's remarks in support of the measure with reservations from second reading on the measure on March 14, 2016, are as follows:

Mr. Speaker, I appreciate your encouragement to wait till third reading, but the situation before us requires that I speak. First, I want to thank the Finance Chair for all of her hard work. She is a diligent professional. I know her team is a team of dedicated professionals and that they want nothing but the best for our students and our state.

Mr. Speaker, I am concerned about parts of the education budget here.

Support, thank you. Support with grave reservations. I am sure that the majority body believes that this document should reflect the feeling that every student should have a first class high school. And I want to say that right up front. Every student across the State should have a first class high school, Mr. Speaker, and I know everyone in this body believes that. I know they do.

But how do we get there, Mr. Speaker? How do we get to appropriating funds for certain projects? I think when it comes to children, these policies should be child-centered and student-based. Based on hard data, enrollment figures, growth projections. How many seats do we have for the students, Mr. Speaker? How many seats do we have for kids?

It would seem to me that the highest priority we have is ensuring that students have a place to sit. Mr. Speaker, you don't hear me down here talking about air-conditioning anymore. We used to say that the classrooms at Campbell were like ovens. The problem now, Mr. Speaker, is we don't have enough ovens to put the kids in. So we've gone from cooling the ovens to now we just need ovens. Isn't that a sad state of affairs, Mr. Speaker?

So my job here is to point out that the Governor's budget had \$31 million for a new building at Campbell High School. And we cut that to \$15 million. Mr. Speaker, do you know how many kids are at Campbell High School today? Take a guess. Three thousand one hundred and two children, 3,102 children.

Kapolei, which was built 14 years ago, is also overcrowded with 2,118 children. And their overcrowding is due to the Campbell kids getting geographical exceptions to go to their school. These two schools have over 5,000 students in them.

Mr. Speaker, this needs to be addressed. So my job is to point out the need for fully funding the Governor's \$31 million request, which we cut in half. Which is an urgent need, the Governor put it in. Mr. Speaker, you may not know this, but the Governor is not a part of the Bob McDermott fan club. He put it in without discussing it with me. He put it in nonetheless. We cut it in half, we cut it into the amount that we provide for performing art centers at other schools, which are nice to have.

This is exigent circumstances. This is an emergency situation. The parents are outraged, the community is outraged, the neighborhood board is outraged. But I can't blame the Chair of Finance, Mr. Speaker. I cannot blame her, because I have to assume that the Chair of Finance is given the same information I am from the Department of Education.

I asked the Department of Education not once, not twice, but three times, what is your number one priority for a new high school? And each time I got a two-page non-answer. Two-page non-answer. So apparently, there is no priority for a new high school.

Mr. Speaker, in this budget we are building a new high school on your island. Which is not needed. Thirty-seven million dollars. Enrollment between Maui and Baldwin is going to go down in the next three years by 400 students, while the combined enrollment between Kapolei and Campbell goes up by 768. Who builds a new high school where it's not needed? Who builds a new high school where it's not needed?

Thank you, Mr. Speaker. Mr. Speaker, the point is, we're allocating money for a high school that doesn't need to be built. The enrollment on Maui goes down by 400 students in the next three years, while the enrollment on West Oahu goes up by 769 students. This is akin to Castle High School having a roof leak and we build a new high school in Molokai to solve the problem. It's not needed, Mr. Speaker.

The proponents of this project cite a 1990 EIS. We don't do anything on 25-year-old EISs. And the other thing they cite is a 45 minute bus ride. Mr. Speaker, I had a 45 minute bus ride every day. Maui is a rural community as opposed to Oahu, so you can't compare Farrington High School to rural communities. You just can't do it. Its apples and oranges. Eighty percent of our population here resides on 20% of our land.

Mr. Speaker, the terrible part about this is if we go ahead and build this high school, there will be no new high school in West Oahu for over a decade. Because we can't afford it. We are going to sentence a generation of kids on the west side to overcrowded classrooms, hot classrooms.

By the way, Mr. Speaker, when you have 3,500 students in a high school, the good news is we'll probably win every state championship. The bad news is, when you field a team like a basketball team, you can only take 15 kids. There will be children who are good enough to start at any other high school, who will be cut from extracurricular activities and lose that opportunity and

experience to participate, because we are not building a high school in West Oahu.

The DOE knows that if we build this school on Maui, they're not going to have a chance to build a new high school within the next 10 years. That's why they don't even have a site selected. They have no priorities, they have no site selected, so then we're left to go by the whim of our political views and political muscle.

This should be a child-centered, student-centered decision. You know, in this body we talk a lot about it's for the keiki, it's for the children, it's for the keiki. Where are all those people now about the keiki? I got a school with 3,000 children in it, going up to 3,500 in three years. These are DOE numbers, by the way, Mr. Speaker. They're from Colleen Matsumoto, Information Specialist. So these aren't Bob McDermott numbers.

Today Campbell High School is at 3,102. In three years it goes up to 3,545. Kapolei, 2,063, it goes up to 2,373. Now we're building a high school on Maui to relieve Baldwin and Maui High. Their current enrollment is 1,408 and 1,849, respectively. They both drop down to about 1,400 in three years. Both will be under capacity.

Now, when you build this new high school there, you're now adding the burden, administrative cost and burden to the Department of Education to run and maintain that new school. And you're pulling about 400 to 500 kids out of these other two schools, so you'll have about three schools with 900 students. Because of student weighted formula, those other schools will lose some programs, teachers and extracurricular activities that they currently have.

So you have three high schools with 900 students, and you have poor Campbell High School with 3,500 students. The assistant principal thinks it's going to be closer to 4,000. He's probably right, but I can only go by these projections.

Now I have a selfish interest why I am pushing this, Mr. Speaker. That selfish interest is I have a sophomore there and I have two more children in the queue. One is going to be a freshman next year and then one the year after that. And they are going to be put into a campus with over 3,000 children. Where are the bleeding hearts who talk about the kids all the time? And they're going to sit by silently and watch this travesty as we sentence a generation of students on the west side to overcrowded campuses, campuses that are criminally large in nature.

The average high school is 1,468 across the United States, from the National Coalition for Education Statistics.

Thank you, Mr. Speaker. Mr. Speaker, as I began to state, I'm very concerned about this. So much so that the lack of this in the budget that I talked to the Governor's Chief of Staff and I showed him the chart with the declining enrollment.

Mr. Speaker, we run the risk of wasting a year here. And what I mean by that is it wasn't in the Governor's budget, the Governor has sold us that he is a methodical engineer who evaluates things based on need. If we appropriate this money, which by the way is \$37 million, and that won't buy one classroom, one brick, one slab of mortar. That is only to level out this land, which is at about a 20 degree angle.

So what are we doing? The point here, Mr. Speaker, is we're building a new high school where it's not needed, when we have exigent circumstances in West Oahu and we are throwing them a crumb, \$15 million. Exigent circumstances, this is an emergency situation. And you know what? I am the only one I guess who can read a chart, apparently, about enrollment figures.

This is a crisis situation, it needs to be resolved. And I am here not in a partisan fashion. I'm here for these children. For my kids, literally my kids, who go to this school, and the parents who are frustrated. And I can't go in good conscience and say, well, we're building a high school on Maui where they don't need one, Mr. Speaker. And with that, I'll save the balance of my remarks for third reading. Thank you, sir.

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

"Mr. Speaker, I rise in support. We live in an imperfect world. We are all not all wise, all knowing, and in that situation we have an imperfect but very good budget proposal before us. And I urge support for that proposal. When we see facts and information presented in this body, these facts and information are sometimes contorted, sometimes partial, sometimes intertwined, sometimes crosscurrent. But luckily we have a Finance Chair with the appropriate temperament, appropriate intelligence, people skills, tolerance for us imperfect human beings, who has crafted a very good budget.

"I too am disappointed that certain things are not in the budget. I wish there were more things for DOE. UH could use a few dollars. The hospital could use a few dollars. Invasive species. OPEB, our unfunded liabilities could use a lot more dollars. So, it is disappointing at points, but we live

with what we have, and that is limited resources. And in that context, I support the budget and hope everyone does. Thank you."

Representative Cullen rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 1700, HD 1, SD 1, CD 1.

"First of all, I appreciate the fiscal chairs from both chambers for composing a well-rounded budget, addressing the needs of the State. I would also like to thank the rest of the members of the committee for their hard work and dedication on the state budget. The finalization of the state budget would not have been possible without the help of exemplary staff. With that being said, I would like to extend my appreciation to my staff, Rachele Lamosao and Chantelle Esteban (my committee clerks).

"This budget reflects many long-range solutions within our communities and our state. A few of those concerns are in regards to heat abatement and overcrowding within our public school system, and many other concerns within our state. Therefore, I appreciate the chair's efforts in seeking to appropriate funds towards permanent and sustainable solutions as we are being responsible with our taxpayers' dollars."

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. I will not rise on a point of personal privilege, but I will take the good gentleman's ridicule as flattery in that how much influence I had over the Lingle Administration, particularly Governor Linda Lingle. And secondly I want this body to know I have never, repeat, never voted against a DHHL budget. Never. Thirdly, I think I personify what's going on in the Hawaiian community. It's not an awakening, it's not a Johnny-come-lately, it's a wake up, it's about time that we do something about this, and we are going to do it legally. Enough is enough. And that's what I sense is going on in the Hawaiian community. And if I can personify that here on this floor, sitting from Hawaii Kai, without a dog in a race, but only for what is just. And I ask this for all of you, every time you walk by Liliuokalani statue..."

The Chair addressed Representative Ward, stating:

"Representative Ward, Representative Ward, focus on the Speaker."

Representative Ward: "Mr. Speaker, I am doing a gesture, because the statue is over there. You're not Liliuokalani, the statue is over there. Every time you walk by Liliuokalani statue, ask yourself."

Representative Souki rose to a point of order, stating:

"Mr. Speaker, point of order. This man is out of order. Will you please call him out of order?"

Vice Speaker Mizuno: "Representative Ward, focus on the merits of the bill."

Representative Ward: "Oh, come on. Come on. I told you guys. I am the quarterback, the more you push on me, the more I'm going to push back, so leave me alone."

At 10:20 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:26 o'clock a.m.

Vice Speaker Mizuno: "Representative, that was uncalled for. Focus on..."

Representative Ward continued, stating:

"Mr. Speaker, my last sentence was in reference to a historical statue that is outside of this building. I ask that the Members have a look at that

and remember Hawaiian history, remember where we are today, and remember that that which she cried for when she was under house arrest was the freedom of her people. And Mr. Speaker, to know now that behind her, in the shadows like a *kabuki* play, is the Native Hawaiian Legal Corporation. So when you go by, listen to your mind and your conscience. Thank you, Mr. Speaker."

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

"In support. I just wanted to say that, a lot of us, I very much support full funding, \$28 million for DHHL. But it should be noted that the department gave this number that we're putting in as the maximum that they could possibly spend in hiring people. You can only hire so many hundreds of employees in one year. And it's one thing to not vote against a DHHL budget, but it's another thing to vote for a zeroed out budget without creating all this ruckus. And that has happened in the past by the previous speaker.

"Lastly, regarding the high school on Maui. I know I haven't done this all session, but just looking at facts. There is one district that's the largest district without a high school, that's Kihei. The fastest growing city in America now, in America, for 5 years until last year was Kihei. There's 1,000 students now ready to go to high school in this district that have to be driven to another district in order to go. We don't have a single stadium, let alone a gymnasium to play basketball in our entire district of 40,000 people.

"So right now it takes 20 minutes minimum, well it depends on the traffic, it could be up to 40 or 50, just to go to high school in the morning. It's one thing to not have enough classroom buildings in your high school, it's another thing not to have a high school at all.

"Regarding number one priorities, Kihei High School was the Governor's number one priority when we funded it. We got it started, now it isn't. We put the number 2 priority to take its place. It makes sense, doesn't it? That's it for now. Thank you."

Representative McDermott rose to respond, stating:

"Mr. Speaker, I appreciate the comments from my colleague from Maui, and he's fighting for his community. And I was quite particularly impressed with his speech on the water bill. I thought that was magnificent and it did move me, to be honest with you. Again, it's not personal, Mr. Speaker. I want Kihei to have a new high school as well. But we have an emergency situation, and this Governor, it's not his number one priority. It might have been Abercrombie's, but it's not this Governor's, because the population is exploding.

"In 2020, Campbell High School will have more students than Maui and Baldwin combined. I mean it's just. So you're building another high school to relieve two high schools, which one has 1,400, one has 1,800. Their enrollment's going down. It may have been a fast growing city, but now it's going down. While ours is continuing to explode.

"And then I saw in the budget that there's money for affordable rentals and affordable housing. Where is that stuff going to be built? West side, where I'm at. Where these kids are at. This is an emergency situation. Emergency. I'm not saying that these guys don't rate a new high school. Everybody rates a new high school, but you have to prioritize. You have a finite pot of money, and it was \$5 million that was released to get it started. Well, we just got \$5 million released for West Oahu to get it started. Okay, so now it's \$37 million to level the ground, which is at a double digit grade, which violates DOE's own rules.

"Secondly, the school is only being built for 800 students, which violates DOE's own rules, the first phase. You've got to have 1,000 to start a new high school, because they are so doggone expensive. And then finally, it violates the DOE's rules with regards to egress and ingress. There is only one way, one side to do it on. So, this thing is fraught with problems. Now I'm sure the Maui delegation is happy about it, and I'm sure the CIP Chair from Maui took all these things into consideration when he made this decision and said, you know what, Maui High School is more important than Campbell, I know they're not going to have seats. We're talking about



seats for kids. Ain't going to have them, ain't there. At \$12 million, you can't buy them. You're not going to have enough seats for students. And we made this deliberate decision. They got seats. We ain't going to have seats. And the train is coming down the track, so what we did is, well, we took one leg off but we still have the other leg there and we're going to get run over. It's just not going to be as bloody."

Vice Speaker Mizuno: "Representative Thielen, would you be willing to yield your time?"

Representative McDermott: "I don't need it, I got 20 seconds, I'll finish up. I'm glad the minority leadership is so attentive, firing up to yield time to their colleagues. That is a wonderful mark of leadership. Thank you, Mr. Speaker. And with that, I will close this dysfunctional discussion."

Representative Ing rose to respond, stating:

"In support. I'm not about to speak on behalf of the Governor like the previous speaker, but I will say that the Governor did come fly in to my district for the ground breaking ceremony after \$30 million was released for this project by the current Governor. And he did express his commitment to see it through publicly. Thank you."

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

"Thank you, Mr. Speaker. I do have to speak on this issue. I've worked tirelessly for two years for our district to get as much money as we can for Campbell High School. In support. And to perhaps correct or at least clarify I think some misinformation, the \$12 million that this budget has for James Campbell High School, to begin with, it is the second largest CIP given to any school in the State through CIP budget and general obligation bonds funding. The second highest. So it's pretty obvious that in this budget, Campbell is a priority, the students of Ewa is a priority.

"Secondly, in speaking with the Department of Education and the amount of work that they can do to shoehorn a large new building into the James Campbell campus, which is overcrowded, there's not even places to put any new portables there. And thankfully last year we got a whole bunch of new portables to help address some emergency capacity issues. But the maximum amount of money that they can spend in one year to clear the ground, put in infrastructure, move some portables so they can put a \$35 million building in there, is \$12 million, Mr. Speaker. That's the most that they can use and spend in one year.

"This state, as we all know, has enumerable priorities and issues that need funding now. It is a crisis in Ewa, it is a very big crisis for our students. But it doesn't make sense to have \$20 million sitting in an account doing nothing, when it can go to help other students in other districts, and next year, once that work is done, we put the rest of the money in and build the rest of the building. It makes financial sense to do it that way.

"As for the new East Kapolei or Kapolei or Ewa high school, I don't know why they call it East Kapolei, it's really to serve, in my opinion, the kids of Ewa Beach, but names are names. The location for that high school is not yet determined. I've been to I can't even count the number of meetings with the DOE and their consultants, and poured over enumerable maps about where this high school is going to go. And there's a lot of challenges, Mr. Speaker, where this high school may go. And it's not yet settled. The Governor has released \$5 million to help go towards this, but it also doesn't make sense to give many more millions yet, when we don't even have a location.

"I fully expect in the next session, with the support of my colleagues and the support of the Governor, that this body will, I have no doubt, fund a new high school for Ewa Beach and for Kapolei. But we don't even have the location yet. We can't put the cart before the horse. But it doesn't mean we don't fight and we don't try and we do the hard work and we meet with the CIP Chair, we meet with the Finance Chair, we meet with the DOE. That's the real job that we have, in advocating for our districts, Mr. Speaker.

"And if I may speak a little truth for those at home, when they watch these proceedings, everybody knows sometimes when they come to the floor, decisions may already be made. Much of what's said here sometimes is theater, Mr. Speaker. And we do not do our jobs by waiting till the end to make a performance on the floor, and say that that's doing our job. We do our job every day, working hard for the people in our district. Not waiting till the end and making boisterous speeches. Thank you."

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

"Thank you, Mr. Speaker. In support. I'd kind of like to go back to the bill itself, Mr. Speaker. First and foremost, I'd like to thank my fellow members on the Finance Committee, I'd like to thank our chair, and I'd like to thank our counterpart in the Senate. When we start talking about the budget, it's not one particular project, it's not one particular department, it's a budget. How are we moving forward, creating a six year balanced budget according to our constitution? To make sure we weigh all the options for everybody's needs. With the departments, with emergencies, with needs of 76 Members.

"When we looked at this budget as we have over the last few years, we focused on the departments. We focused on vacancies again, we focused on 89-day hires, we focused on exempt positions, and we pressed harder on those departments. As you'll see, there's countermeasures that we'll be voting on today that address these as we move forward and become more accountable. Not only to these constituents in the State of Hawaii, but to us in a balanced budget.

"We're providing \$327 million, as the chair has said, to our unfunded liability, to make sure that people who have worked for the State before will get their checks in the future. Some of those people are living to 100-plus years old, sometimes getting retirement longer than they paid into the system. We have an obligation to make sure they have that. We have an obligation to make sure they have that health care. That comes out of this budget. We have an obligation to make sure when negotiated contracts come up next year that we have enough money to continue to keep those employees and not lose them to public sector, and provide those needed services.

"So when we talk about a budget, it's not talking about one particular thing. It's the whole thing. And that's what's more important when we talk about this. How much we put away, \$150 million into a rainy day fund, or the Hurricane Relief Fund, to make sure when we go to ask for money on a national level for bonding that we keep our great bond rating. So we can borrow at the lowest rate of interest. I think our bond bill is close to \$970 million. That's future debt we're going to be putting onto future generations.

"These are all things we need to be cognizant of when we each come and ask for something to take home to our districts. But at the end of the day, we need to have a balanced budget, and we need to make these harsh decisions. We have two other measures that will be coming up today talking about reviewing credits, reviewing deductions in our tax code to see if they're viable and if it's costing us too much money or we should change it. That's what a budget is, Mr. Speaker. And I wish we would speak to that merit and show these people of the State of Hawaii that we really do work hard here.

"It's all about how we're protecting our state for our future needs and making sure that everybody has a safe place to live in and be able to remain here. That's what this budget really is about. And it does take many, many hours. I thank the chair and her staff, because those individuals work very hard. As well as do my counterparts on the Finance Committee. And it's like drinking from a water hose when you get on that committee, it's not that easy. But the more you learn about our state budget, I think the more well-rounded you become. And how to articulate this budget to our constituents who just want to know, what are you bringing home? If we can explain to them how much it's costing us, I think they'll be more understanding, just like with their personal budgets. Thank you, Mr. Speaker."

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

Representative Luke rose, stating:

"Mr. Speaker, I just wanted to introduce one more member of the finance staff who walked in not too long ago, Matt Tsujimura. If we could give him a special round of applause. And with that, I call for the question."

At this time, Representative Luke called for the previous question.

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

"Mr. Speaker, may I say a few words? Mr. Speaker, I stand in strong support of this measure. But more importantly, let me start the preface by saying this to all of you. On behalf of myself, congratulate the chair and the Finance Committee members and also the staff. Yes, we are all here in representing our constituency. But more importantly, I think we should be looking towards the future. The future for the future generations.

"Thirty-four Members of this House did not get the opportunity, Mr. Speaker, of sitting on the Finance Committee. This debate here this morning is a start of that particular journey, because I would ask the Members a question. How many of the 51 Members of the House got a chance to look at the supplemental Governor's report that was sent down, the budget? What was the fund balance after June 30th, 2015? How was the discussion broken into revenue enhancements versus expenditures? I am very proud of this budget today, because, may I also incorporate the words of the Finance Chair as though they were my own," and the Chair "so ordered." (By reference only.)

Representative Say continued, stating:

"But more importantly, Members of this House, we talk on just looking at it today. Today's budget is not our biennium budget. It is a supplemental budget, where you try to address emergencies. Emergencies that the administration has highlighted. How many Members of this House understand, what is the GM that you see on your order of the day at the beginning of session? What is the GM? Governor's message, you are correct, Representative from Kahala. But my point is that I am so elated and happy that the Finance Committee and its chair, in their wisdom, has set aside \$150 million for the rainy day fund.

"The fall of 2015 it was really ironic, because Governor Ige went to a National Governor's Association conference, and I was very privileged to see the discussion on the national level of his peers of what is happening in America today. There was a panel of four economists plus a moderator. And the four economists talked about, are we ready, a country that we love so dearly, the United States of America, ready for another recession? A recession is cyclical, and for those who were here in 2009 and 2010, you recall how big this recession became and it was almost like a depression. What the Finance Committee and its chair has done is set aside now \$150 million in preparation, when it does occur. Will that be enough? I really don't know.

"But for the Finance Committee and Members of this House, you should look at the pie chart of your revenues and your expenses, and how much of the expenses are going to our mandated benefits. What do you folks want? More debt service? Preservation of health benefits? Employers' contribution to the retirement system? That's what you folks have done this session in trying to balance those big three ticket items. Come the fall of August, September, the administration is back on the table for collective bargaining negotiations. All of these variables, I'm just happy to share with the Members who are not on the Finance Committee. Because the truth will be told, if the recession occurs in 2017, at the end of 2017 or 2018, we will have to come back to determine how are we going to fund these three mandated benefits. Debt service, pension, and health fund.

"Sometimes I'm very conflicted, and I'll share this with the Members of the House and audience at large, is this. I've got to really support more employees in the state government, in hiring more employees."

Representative Hashem rose to yield his time, and the Chair "so ordered."

Representative Say continued, stating:

"People may think I'm critical. The public may think I may be very out of sight, out of mind in saying something like this, but the answer is this. At the end of the day, you are the employer. The less employees we have, the more employer pays into the pension fund, into the health fund. Wake up.

"We don't have everything that's before us, but it is a start that the Finance Chair and the committee did. Look at the macro. That's why I feel very frustrated, because we're only looking at ourselves and our particular districts, and not at the overall state government that we provide services to. Yes, I was very critical in some of my statements on the floor on measures, but I'm just trying to say to all of you, let's be fair, let's be honest, let's be transparent.

"I had about four or five calls asking me, hey, Representative Say, Speaker Emeritus, what is a blank bill? It's not dealing with the budget, but it's the process that we're dealing with. A blank bill was to continue the conversation, but also a blank bill could be interpreted as the status quo."

The Chair addressed Representative Say, stating:

"Speaker Emeritus, I apologize, can we focus on the merits on House Bill 1700?"

Representative Say continued, stating:

"Yes, I am trying to. But let me continue. Transparency in the budget is so important, and you'll be getting to see the opportunity this morning and this afternoon of all of the other appropriation bills. If in June 30th of 2015, the fund balance was \$800 million and in March it got up to \$1 billion, that's where the public has to understand, and Members, how much of that \$1 billion cash carry-over balance are we appropriating today as a supplemental budget? That will give me an opportunity, really, to tell the people back home that it is a balanced budget. But if we're spending more than what's coming in, it just doesn't make sense, the statement that people would make.

"Yes, it is a six years financial plan. Why I was a little frustrated? We're not preparing ourselves, also. Do we have revenue enhancement measures before us to comfort, lower the blow for all of us here who will be back in 2017?

"I really believe that we have to look towards the future, and the chair and the Finance Committee has done their job. But more importantly, that may not be enough. That may not be enough. And so I warn the Members of this House that we should all be working together creatively and openly and honestly. And for the Representative from the area of Campbell, maybe it will be done in two phases or three phases, who knows? But I'm just proud to say that you folks have done a great job, and this is what I wanted to say, to prepare yourselves for the next biennium, because all of you will be back, and then you'll have to face some very tough issues, collective bargaining, increased debt service, pension employers' contribution and health fund contributions.

"Thanks to the chair and the Finance Committee the past three years, the savings we have had in OPEB, other pension employee benefits, have saved us a lot of money also. That's the kind of discussion you folks need, because the actions that you take today will create some savings in the future.

"But more importantly for Hawaii, we're at a crossroads. Why I say this, at the prayer breakfast I had an opportunity to talk to the Mayor of Maui. Probably by the end of the year you'll get about maybe 800 to 1,200 employees who will be on the bench, HC&S and the Maui Prince Hotel conversion. Do we have the programs already in place for the retraining, rehiring, *et cetera*? But I'm proud that we have a bill in regards to unemployment insurance and severance for those particular workers. But

more importantly, in six months, they'll be out of a job. And that's the kind of worries I have."

Representative Ito rose to yield his time, and the Chair "so ordered."

Representative Say continued, stating:

"But in closing, my whole message this morning was this. We are all here for our constituency. But more importantly, can we not look for the future for those Members of the House who have young *keiki o ka 'āina*? A future that we can be proud of in having them and the opportunities. So, thank you very much."

Representative Saiki rose, stating:

"Mr. Speaker, I'd like to call for the question, but please permit written comments."

At this time, Representative Saiki called for the previous question.

Representative Choy rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Choy's written remarks are as follows:

"Mr. Speaker, I stand in SUPPORT of the supplemental budget for 2016. I would like to highlight the good work that your leadership, the members of the House Committee on Higher Education and the House Committee on Finance put into this year's supplemental state budget. Our budget for the University of Hawaii emphasized students. The joint committees sent the message that the University needs to refocus itself on the needs and servicing of the students. The \$750,000 for the Graduation Pathways System (GPS) will help students graduate in four years and lessen the amount of student debt they must carry. The appropriation to the Title IX Sexual Assault initiative gave a strong indication that the State House of Representatives does not tolerate this type of behavior and the protection of our students is paramount in our eyes. Finally, the support of the Theater and Dance program showed administration that they need to reprioritize their support for the academic mission of the University. This year's budget accomplished all of these items and more.

"For all of these reasons, I stand in SUPPORT of HB 1700, HD 1, SD 1, CD 1."

Representative Ito rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I rise in support of Conference Committee Report 140-16, HB 1700, HD 1, SD 1, CD 1.

"I want to commend Chair Luke and her staff for their hard work in balancing the State budget and still be able to find the necessary funding for two very important needs for the military community. First, the \$50,772 for a full-time veterans services coordinator IV position that will be dedicated to women veterans. As more women enlist in the armed forces, the State's Veterans' Services Office will begin to see an influx of women veterans who have unique needs. Second, the \$200,000 for the Vietnam veterans' 50th commemoration. This commemoration is very important to the veterans of the Vietnam war as many were shunned when they returned home after the war.

"Thank you, and I ask all my colleagues to support this measure."

Representative Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of House Bill No. 1700, House Draft 1, Senate Draft 1, Conference Draft 1.

"There are only two points that I would like to make. First, I would like to thank you, House Leadership, and all of my colleagues for supporting the appropriation of \$2.5 million for Wahiawa General Hospital. The infusion of cash to the hospital for fiscal year 2016-2017 will ensure that the hospital will continue to operate for at least one more year while it devises and implements a sustainable business model. It is unfortunate that the full \$3 million that they requested was not funded, and as such, the hospital will need to scale back some of its operations as well as possibly lay off some of its employees. Yet, the assistance provided in this budget will guarantee that the emergency room and the long-term beds will continue to serve Central Oahu and protect the health and welfare of the more than 100,000 residents that rely on this critical facility. For that, I am truly grateful."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1700, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 51 ayes, with Representatives McDermott and Ward voting aye with reservations.

At 10:55 o'clock a.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 1700, HD 1, SD 1, CD 1

### LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Hashem introduced fifth graders from Holy Nativity School: Ana Doplihar, Ella Laird, Rye Nicholson, Makela Pick, Kacey Sasaki, Nancy Schroeder, Alexis Torres, 'Ala'i Williams and Mylah Williams; teacher, Ms. Staci Overton; assistant teacher, Ms. Liz Cunningham; and chaperones, Garret Pick and Jacque Laird.

At 10:55 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:43 o'clock a.m.

### ORDINARY CALENDAR

#### UNFINISHED BUSINESS

At this time, the Chair stated:

"Members, please turn to page 21 and refer to Conference Committee Report Number 127-16."

#### Conf. Com. Rep. No. 127-16 and S.B. No. 2077, SD 1, HD 2, CD 1:

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2077, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative Evans.

At 11:43 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:44 o'clock a.m.

At this time, Representative Nakashima offered Floor Amendment No. 1, amending S.B. No. 2077, SD 1, HD 2, CD 1, as follows:

"SECTION 1. S.B. No. 2077, S.D. 1, H.D. 2, C.D. 1, section 2, is amended by amending paragraphs (6) and (8) of the proposed new subsection -3(c), Hawaii Revised Statutes, on page 6, lines 18-19, and page 7, line 5, to clarify that an employee shall qualify for the special retirement benefit, if the employee:

- (1) Became a class H member prior to July 1, 2012, and has at least twenty-five years of credited service, irrespective of age, rather

than thirty years of credited service and is at least fifty years of age; or

- (2) Became a class H member after June 30, 2012, has at least twenty-five, rather than thirty, years of credited service, and is at least fifty-five years of age.

SECTION 2. S.B. No. 2077, S.D. 1, H.D. 2, C.D. 1, subsection (b) of section 3 is amended as follows:

1. By amending paragraph (1) to read:

"(1) For retired employees based on the self plan with at least nine years but fewer than twelve years of service, a monthly contribution equal to one-half of the base medicare or non-medicare monthly contribution set forth under section 87A-33(b), Hawaii Revised Statutes; provided that retired employees who were hired after June 30, 1996, but before July 1, 2001, with dependent-beneficiaries, as that term is defined in section 87A-1, Hawaii Revised Statutes, shall be eligible for a monthly contribution equal to one-half of the base medicare or non-medicare monthly contribution for two-party or family plans, as applicable, set forth in section 87A-33(b), Hawaii Revised Statutes;"

2. By amending paragraph (4) to read:

"(4) Upon the death of a retired employee hired after June 30, 1996, but before July 1, 2001, for the dependent-beneficiary who becomes eligible as an employee-beneficiary, a monthly contribution equal to paragraphs (1), (2), or (3), as applicable; and upon the death of a retired employee hired after June 30, 2001, for the dependent-beneficiary who becomes eligible as an employee-beneficiary, a monthly contribution equal to one-half of paragraphs (1), (2), or (3), as applicable.""

Representative Nakashima moved that Floor Amendment No. 1 be adopted, seconded by Representative Keohokalole.

Representative Nakashima rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, the proposed amendments to Senate Bill 2077, SD 1, HD 2, CD 1 are technical amendments to ensure consistency and uniformity throughout the measure. The amendments include technical amendments for employees who are in the hybrid class of the employee's retirement system to ensure that the benefits are consistently implemented throughout and across the board for contributory, non-contributory and hybrid members.

"Additionally, there is clean-up language in part 2 of the measure, which ensures conformity of the language to existing benefits provided by the Employer-Union Health Benefits Trust Fund. These technical amendments comport with the intent of this measure and will ensure uniformity of employees' benefits across the board. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, support. A brief comment and a question. Clearly, those who are being separated deserve compensation for all the service they've given to the State of Hawaii. My only question is, Mr. Speaker, what would the cost implication be? If the Chair of Labor or the Chair of Finance would know that, that would be greatly appreciated."

The Chair then stated:

"Representative, I appreciate it. The vote will be by voice vote, and should it pass, this will be giving you 48-hour notice for the measure to be officially passed on Thursday, so I think that will give you sufficient time to talk to the Chair of Labor."

The motion that Floor Amendment No. 1, amending S.B. No. 2077, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEPARATION BENEFITS," be adopted, was put to vote by the Chair and carried.

At 11:46 o'clock a.m., the Chair noted that Floor Amendment No. 1 was adopted.

At this time, the Chair stated:

"Members, please note the 48-hour notice for this measure."

At this time, the Chair recognized the Clerk who announced:

"I have been informed by a representative of the President of the Senate that the conference committee report for H.B. No. 1700, HD 1, SD 1, CD 1, was adopted, and said House bill, Relating to the State Budget, passed final reading in the Senate at 10:46 a.m. on this day.

"In addition, I have been informed by the Assistant Clerk of the House that at 10:58 a.m. on this day, House Bill No. 1700, HD 1, SD 1, CD 1, has been duly transmitted by the Legislature to the Governor, pursuant to Article VII, Section 9 of the Hawaii State Constitution."

Representative Ward: "Mr. Speaker, may I also make a Senate announcement? The good Senator Slom is on the floor arguing, debating as he said he would and he is there. Just so people will know that that is the case and they are going full speed ahead."

At this time, the Chair stated:

"Members, please note that the Chair will be moving the following items to the end of calendar. I will go at a slow pace so everybody can stay on board. Turn to page 15, please. Members, Conference Committee Report No. 12-16, this would be Senate Bill 2788, HD 1, CD 1, moved to the end of calendar. Members, on page 18, Conference Committee Report No. 71-16, Senate Bill 2177, SD 2, HD 1, CD 1 will be moved to the end of the calendar. Members, on page 18, Conference Committee Report No. 88-16, Senate Bill 2659, SD 2, HD 1, CD 1 will be moved to the end of the calendar. On page 22, Conference Committee Report No. 136-16, House Bill 2247, HD 1, SD 2, CD 1 will be moved to the end of the calendar. On page 24, Conference Committee Report No. 157-16, Senate Bill 2131, SD 2, HD 2, CD 1 will be moved to the end of the calendar. And finally, on page 25, Conference Committee Report No. 172-16, House Bill 1072, HD 1, SD 2, CD 1 will be moved to the end of the calendar."

**Conf. Com. Rep. No. 12-16 and S.B. No. 2788, HD 1, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 71-16 and S.B. No. 2217, SD 2, HD 1, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 88-16 and S.B. No. 2659, SD 2, HD 1, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 136-16 and H.B. No. 2247, HD 1, SD 2, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 157-16 and S.B. No. 2131, SD 2, HD 2, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**Conf. Com. Rep. No. 172-16 and H.B. No. 1072, HD 1, SD 2, CD 1:**

By unanimous consent, action was deferred to the end of the calendar.

**CONSENT CALENDAR****UNFINISHED BUSINESS**

At this time, the Chair stated:

"Members, there will be no discussion on these items, as these items were already agreed to by this body for placement on consent calendar."

**Conf. Com. Rep. No. 14-16 and H.B. No. 1668, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1668, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF A DOG IN JUDICIAL PROCEEDINGS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 15-16 and S.B. No. 2317, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2317, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 16-16 and S.B. No. 2330, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2330, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 18-16 and S.B. No. 2671, SD 1, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2671, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARY TECHNICIANS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 19-16 and S.B. No. 2213, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2213, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 20-16 and S.B. No. 2910, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2910, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE COMMISSIONERS OF DEEDS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 21-16 and S.B. No. 3110, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3110, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 22-16 and S.B. No. 3109, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3109, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MANUFACTURING," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 23-16 and S.B. No. 2476, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2476, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 24-16 and S.B. No. 2672, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2672, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES," passed Final Reading by a vote of 45 ayes to 6 noes, with Representatives Creagan, Har, Kong, Oshiro, Tokioka and Tupola voting no voting no.

**Conf. Com. Rep. No. 25-16 and H.B. No. 2389, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2389, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FEDERAL REIMBURSEMENT MAXIMIZATION SPECIAL FUND," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 27-16 and H.B. No. 900, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 900, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL ASSISTANCE FRAUD," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 30-16 and H.B. No. 1702, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1702, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 31-16 and H.B. No. 2093, HD 1, SD 2, CD 1:**

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, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR GOODWILL INDUSTRIES OF HAWAII, INC.," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 32-16 and H.B. No. 2340, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2340, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORDS CHECKS UNDER THE CHILD PROTECTIVE ACT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 36-16 and H.B. No. 1852, HD 1, SD 1, CD 1:**

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER POLLUTION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 38-16 and H.B. No. 1561, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1561, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NUISANCE ABATEMENT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 39-16 and H.B. No. 1807, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1807, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MILITARY SERVICE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 40-16 and H.B. No. 1756, HD 3, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1756, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 41-16 and S.B. No. 2630, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2630, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 46-16 and S.B. No. 2408, SD 1, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2408, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTITION OF HEIRS PROPERTY," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Oshiro voting no.

**Conf. Com. Rep. No. 48-16 and H.B. No. 2034, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2034, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE KAHO'OLAWA ISLAND RESERVE COMMISSION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 49-16 and H.B. No. 2277, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2277, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 50-16 and H.B. No. 2077, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2077, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HYDROELECTRIC POWER," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 51-16 and H.B. No. 2231, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2231, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY COOPERATIVES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 53-16 and H.B. No. 901, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 901, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT VEHICLES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 54-16 and H.B. No. 1011, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1011, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 55-16 and H.B. No. 1747, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1747, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 57-16 and H.B. No. 2017, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2017, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION TREATMENT PLANS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 58-16 and H.B. No. 2018, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2018, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT PROCESSES AND SERVICES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 60-16 and H.B. No. 1578, HD 2, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1578, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Takumi's written remarks in support of the measure are as follows:

"As legislators, we are responsible for many statewide issues that affect all of us—education, public safety, human services—but we are also responsible for responding to issues that may not loom large. HB 1578 does this.

"In June 2015, the Nagamine family visited their family's graves at Sunset Memorial Park in Pearl City. Imagine their shock and sadness when they discovered that the urns holding the ashes of their loved ones were gone. Compounding their distress was later finding the urns at a copper recycling center where it had been sold for \$31 and the urns were empty.

"They knew that nothing could be done, but they resolved to do what they could to ensure that no other family should suffer what they went through. They asked that a bill be introduced so that the penalty for stealing an urn be a Class C felony rather than a misdemeanor.

"This is the bill before us. The family were present at every committee hearing and gave testimony. Family member Lisa Wond testified:

*Last June, thieves broke into the gravesite of my grandfather, my grandmother, my aunt and my uncle, and stole their urns. The thieves took the urns to Reynolds Recycling, and received \$31. For them, it was a way to make money.*

*For our family, it was heartbreaking. Our family canvassed the graveyard and surrounding areas, but the ashes of my family members were never recovered. My hardworking grandparents came to Hawaii a century ago, to build a better life for themselves. They raised ten children, all law-abiding, taxpaying, and contributing members of our communities. Our family is on its fifth generation, and numbers nearly 100. In Hawaii, where we respect our elders and our ancestors, what the thieves did to our family was unbelievable.*

*For us, they stole much more than the urns and ashes of our loved ones. We mourn for a second time the loss of our family members. My mom has had many sleepless nights over the loss of her parents' ashes and what we thought was their final resting place. We are unable to continue our family's culture and tradition of taking our children and grandchildren to visit our family gravesite, knowing*

*that it lies empty. I feel violated and angry that anyone could commit such desperate and selfish acts against us, for \$31.*

*It is a sad statement of our society when we have to enact laws to prevent people from stealing the urns of dead people. But I fully support this bill, with the hope that it will deter thieves enough to prevent other families from going through what we are enduring.*

"I am gratified to have played a small role in bringing a small measure of closure for the families. It serves as a reminder that we can make a difference in the lives of people in our community."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1578, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 63-16 and H.B. No. 2675, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2675, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RAPID OHIA DEATH," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 65-16 and H.B. No. 1726, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1726, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MURDER," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 68-16 and H.B. No. 254, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 254, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICINES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 72-16 and S.B. No. 2904, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2904, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC MITIGATION BANKS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 73-16 and S.B. No. 2854, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2854, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 74-16 and S.B. No. 2853, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2853, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 76-16 and S.B. No. 2987, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2987, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 77-16 and S.B. No. 2453, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2453, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

AQUATIC RESOURCES PENALTIES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 82-16 and S.B. No. 2542, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2542, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REPAIR AND MAINTENANCE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 84-16 and S.B. No. 2981, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2981, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 85-16 and S.B. No. 2557, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2557, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 86-16 and S.B. No. 2645, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2645, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER AUDITS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 87-16 and S.B. No. 2561, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2561, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 91-16 and H.B. No. 1897, HD 1, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1897, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Belatti's written remarks in support of the measure are as follows:

"I rise in strong support of House Bill 1897, Conference Draft 1, Relating to Insurance Coverage of Health Screenings.

"House Bill 1897, Conference Draft 1 clarifies and ensures that all health insurers in this state provide insurance coverage for annual screenings for sexually transmitted diseases, including screenings for human immunodeficiency virus and acquired immunodeficiency syndrome. The federal Affordable Care Act already requires health insurance plans to cover these screenings without any patient cost sharing. This bill closes any gaps in access to screenings for sexually transmitted diseases. The long-term patient benefits of these screenings will include early detection, better access to timely and proper treatment, prevention of further transmission, and decreases in transmission rates. For all of these reasons, I strongly support passage of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1897, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE COVERAGE OF HEALTH SCREENINGS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 92-16 and H.B. No. 2252, HD 1, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2252, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Belatti's written remarks in support of the measure are as follows:

"I rise in strong support of House Bill 2252, Conference Draft 1, Relating to Discharge Planning.

"As described in the conference committee report, the substantial need for this bill is driven by the projected growth rates within the elderly population that we are already witnessing and the need to support individual family caregivers who will have to shoulder more and more of the financial and personal responsibilities in caring for their aging family members. By being able to designate a caregiver for a patient receiving inpatient treatment at hospitals in the State and ensuring that the family caregiver is involved in the discharge planning process, House Bill 2252, Conference Draft 1 ensures better care for elderly patients and provides needed instructional support for family caregivers at some of the most stressful times during the care of their loved ones.

"This bill represents the tireless work of many, many community advocates and groups including AARP Hawaii, the Hawaii Family Caregiver Coalition, ILWU Local 142, the Policy Advisory Board for Elder Affairs, and the Healthcare Association of Hawaii – all of whom participated in many community meetings and informational briefings, two interim task forces, and numerous committee hearings spanning multiple legislative sessions. This bill also represents the hard work of the Chairwoman of the Senate Committee on Health and the Representative of District 34, both of whom were co-chairs of the Kupuna Caucus and true champions of this bill, along with the Chairwomen of the Senate Committee on Commerce, Consumer Protection, and Health and the House Committee on Human Services.

"While much more work still needs to be done in improving access to community-based services for those individuals who wish to age-in-place and in their own homes and insurance payment models that will support these services, House Bill 2252, Conference Draft 1 is an important step to improve home-based care in our communities. For these reasons, I strongly support House Bill 2252, Conference Draft 1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2252, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCHARGE PLANNING," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 94-16 and H.B. No. 1997, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1997, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 96-16 and H.B. No. 2657, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2657, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 97-16 and H.B. No. 2317, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2317, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 98-16 and H.B. No. 1907, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1907, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Belatti's written remarks in support of the measure are as follows:

"I rise in strong support of House Bill 1907, Conference Draft 1, Relating to Sexual Assault.

"It was shocking to learn throughout the course of this legislative session that there are 1,500 untested sexual assault kits in the custody of the Honolulu Police Department. This number was especially astonishing since not more than four years ago, in 2012, the Hawaii Department of the Attorney General testified clearly and plainly before the House Judiciary Committee on HCR 99 (2012) that 'there is no current backlog in processing deoxyribonucleic acid (DNA) rape kits.' Similarly the Honolulu Police Department also testified, '[t]he perception that there is a considerable backlog of unfulfilled requests for the analysis of rape kits is erroneous.' The Honolulu Police Department continued to state that '[t]he decision to request an analysis of a rape kit is strictly that of the case investigator and/or deputy prosecutor.'

"That this prosecution-centered approach to the handling of sexual assault testing kits has only come to be better understood by legislators today underscores the urgency with which the Legislature is now adopting House Bill 1907, Conference Draft 1 with clear legislative intent that all new kits, beginning July 1, 2017, shall be tested according to criteria and policies that do not simply embody a prosecutor's discretion about whether a case is winnable.

"House Bill 1907, Conference Draft 1 creates a strict timeline in which the Legislature expects law enforcement agencies to inventory and report back to the public about the numbers of kits in storage by those agencies. Next, the Department of the Attorney General is tasked with convening and involving community stakeholders in compiling a report about past practices, a timeline for testing all untested kits, a plan for determining the priority of untested kits and new kits for testing, proposed or adopted processes to track kits, and identified criteria and processes to determine which untested kits will be tested, as well as the criteria to be applied to all new sexual assault evidence kits.

"Lastly, legislators are also very mindful – as all the community advocates were on this matter, including the law enforcement community – that funding for victim notification and support services would also need to be identified as the agencies collectively begin to test the many, many untested kits that remain in the custody of law enforcement agencies.

"As some advocates have eloquently expressed disappointment at the current state of untested kits, the time is now to ensure testing of sexual assault evidence kits. Not only are there federal grant monies that are available for State and local agencies, this legislature has also appropriated through House Bill 1907, Conference Draft 1, \$500,000 to begin testing at least 500 untested kits by December 31, 2016, and for associated victim support services. Given the broad interest, especially from members of the Women's Legislative Caucus and community groups-at-large, the time is certainly now for state and local law enforcement agencies to shift their thinking and practices regarding sexual assault evidence kits so that victims are truly placed at the center of the process, and near universal – if not universal – testing occurs with any kit that a victim courageously undertook in the aftermath of the original trauma and assault. For these reasons, I support the passage of House Bill 1907, Conference Draft 1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1907, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Final Reading by a vote of 51 ayes.



**Conf. Com. Rep. No. 99-16 and H.B. No. 2121, HD 3, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2121, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL SERVICES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 104-16 and H.B. No. 2582, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2582, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SAFETY," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 105-16 and H.B. No. 1814, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1814, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 106-16 and H.B. No. 2267, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2267, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY IN SCHOOLS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 107-16 and H.B. No. 1050, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1050, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND MOVEMENT OF INVASIVE SPECIES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 108-16 and H.B. No. 2489, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2489, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 109-16 and S.B. No. 2289, SD 1, HD 1, CD 1:**

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, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Final Reading by a vote of 48 ayes to 3 noes, with Representatives Har, Kong and Tupola voting no voting no.

**Conf. Com. Rep. No. 111-16 and S.B. No. 2680, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2680, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL INSTITUTIONS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 112-16 and S.B. No. 2863, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2863, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR MASSAGE THERAPY VIOLATIONS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 114-16 and S.B. No. 2298, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2298,

SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 116-16 and S.B. No. 3126, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3126, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 118-16 and S.B. No. 2550, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2550, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FUNDS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 120-16 and S.B. No. 2559, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2559, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Jordan and Say voting no.

**Conf. Com. Rep. No. 122-16 and S.B. No. 2845, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2845, HD 1, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO REPAY GENERAL FUND CASH ADVANCES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 123-16 and S.B. No. 2555, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2555, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 124-16 and S.B. No. 2551, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2551, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 125-16 and S.B. No. 2108, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2108, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL PROCESS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 126-16 and S.B. No. 2106, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2106, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WITNESSES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 130-16 and H.B. No. 1041, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1041, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 132-16 and H.B. No. 2029, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2029,

HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER INFRASTRUCTURE LOANS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 134-16 and H.B. No. 2040, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2040, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER SECURITY," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 135-16 and H.B. No. 2090, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2090, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND COURT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 137-16 and H.B. No. 2671, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2671, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL JUSTICE DATA," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 139-16 and H.B. No. 1543, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1543, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 141-16 and H.B. No. 2626, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2626, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNDERGROUND STORAGE TANKS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 142-16 and H.B. No. 2646, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2646, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 144-16 and H.B. No. 2772, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2772, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 145-16 and H.B. No. 2363, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2363, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 146-16 and H.B. No. 1046, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1046, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WRONGFUL IMPRISONMENT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 150-16 and S.B. No. 3102, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3102, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 151-16 and S.B. No. 2833, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2833, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LOW-INCOME HOUSING TAX CREDIT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 154-16 and S.B. No. 2915, SD 2, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2915, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative Evans.

Representative Belatti's written remarks in support of the measure are as follows:

"I rise in strong support of Senate Bill 2915, Conference Draft 1, Relating to the Uniform Controlled Substances Act.

"This bill is, in part, the annual update of the State's Uniform Controlled Substances Act that adds drug scheduling changes made by the federal government to the State's scheduled substances lists. This conference draft adds four substances to the State's schedules, a synthetic opioid and a synthetic cannabinoid to the State's Schedule I list, and pentazocine and eluxadoline to the State's Schedule IV list. These conforming amendments ensure public safety and consistent regulatory controls over these dangerous substances.

"Senate Bill 2915, Conference Draft 1, however, goes beyond the annual update and adopts numerous measures that are designed to tackle the prescription painkiller epidemic that is rampant throughout the country and in our very own communities. Of particular significance, this bill mandates all practitioners, except veterinarians, and pharmacies to register to use the State's electronic prescription accountability system. Next, this bill improves access to the State's electronic prescription accountability system by allowing practitioner delegates and pharmacist delegates to use the system.

"Operational since 1993, the State's electronic prescription accountability system has evolved to require all pharmacies and dispensing practitioners to submit prescription data into an electronic database. The amendments in Senate Bill 2915, Conference Draft 1 will empower practitioners and pharmacists to be able to retrieve prescription history of their patients to avoid over-prescriptions and assist in designing the most appropriate care and treatment plans for their patients, especially in instances where controlled substance abuse is suspected. Emergency room physicians will also be able to check the database system to evaluate patients who are exhibiting destructive drug-seeking behaviors.

"Senate Bill 2915, Conference Draft 1 also imposes a 30-day supply limitation on the amount of Schedule II narcotic controlled substances that can be prescribed at a time. Notably, Conference Draft 1 carves out two practical and compassionate exceptions to this 30-day supply limit: (i) where such substances come in a single unit dose package that exceeds the 30-day limit; and (ii) where a terminally ill patient is certified by a physician to exceed the 30-day limit.

"Lastly, Senate Bill 2915, Conference Draft 1 authorizes the Department of Public Safety to enact rules and create effective drug take-back procedures, consistent with federal reverse distribution or take-back laws, that will remove unused medications from the community, one of the sources through which dangerous prescription drugs are getting into our communities and schools.

"Prescription drug abuse has long been known to be a problem by many families who have been touched by this epidemic. According to the Centers for Disease Control and Prevention, the national death rates involving opioid drugs have nearly quadrupled from 1999 to 2013. The provisions in Senate Bill 2915, Conference Draft 1 begin to tackle the tough problem of prescription drug abuse by equipping health care providers, regulators, and the community-at-large with better tools and information to provide better care and reduce the destructive behaviors that come with drug dependency. For these reasons, I strongly support passage of Senate Bill 2915, Conference Draft 1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2915, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 159-16 and H.B. No. 2049, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2049, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 160-16 and H.B. No. 1752, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1752, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF COMMUNITY SERVICES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 161-16 and H.B. No. 2016, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2016, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYEES," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 163-16 and H.B. No. 2605, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2605, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 171-16 and H.B. No. 2482, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2482, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

At 11:52 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1668, SD 1, CD 1  
 S.B. No. 2317, SD 2, HD 1, CD 1  
 S.B. No. 2330, SD 2, HD 2, CD 1  
 S.B. No. 2671, SD 1, HD 2, CD 1  
 S.B. No. 2213, SD 2, HD 1, CD 1  
 S.B. No. 2910, SD 2, HD 1, CD 1  
 S.B. No. 3110, SD 1, HD 1, CD 1  
 S.B. No. 3109, SD 1, HD 1, CD 1  
 S.B. No. 2476, SD 2, HD 2, CD 1  
 S.B. No. 2672, SD 1, HD 1, CD 1  
 H.B. No. 2389, HD 1, SD 1, CD 1  
 H.B. No. 900, HD 2, SD 1, CD 1  
 H.B. No. 1702, HD 1, SD 1, CD 1  
 H.B. No. 2093, HD 1, SD 2, CD 1  
 H.B. No. 2340, HD 1, SD 2, CD 1  
 H.B. No. 1852, HD 1, SD 1, CD 1  
 H.B. No. 1561, SD 1, CD 1

H.B. No. 1807, HD 2, SD 1, CD 1  
 H.B. No. 1756, HD 3, SD 2, CD 1  
 S.B. No. 2630, SD 1, HD 1, CD 1  
 S.B. No. 2408, SD 1, HD 2, CD 1  
 H.B. No. 2034, HD 1, SD 2, CD 1  
 H.B. No. 2277, HD 1, SD 1, CD 1  
 H.B. No. 2077, HD 2, SD 2, CD 1  
 H.B. No. 2231, HD 1, SD 1, CD 1  
 H.B. No. 901, SD 1, CD 1  
 H.B. No. 1011, HD 1, SD 2, CD 1  
 H.B. No. 1747, HD 1, SD 1, CD 1  
 H.B. No. 2017, HD 1, SD 2, CD 1  
 H.B. No. 2018, HD 1, SD 1, CD 1  
 H.B. No. 1578, HD 2, SD 1, CD 1  
 H.B. No. 2675, HD 1, SD 2, CD 1  
 H.B. No. 1726, SD 1, CD 1  
 H.B. No. 254, HD 2, SD 1, CD 1  
 S.B. No. 2904, HD 1, CD 1  
 S.B. No. 2854, SD 2, HD 1, CD 1  
 S.B. No. 2853, SD 2, HD 1, CD 1  
 S.B. No. 2987, SD 2, HD 2, CD 1  
 S.B. No. 2453, HD 1, CD 1  
 S.B. No. 2542, SD 2, HD 1, CD 1  
 S.B. No. 2981, SD 1, HD 1, CD 1  
 S.B. No. 2557, SD 2, HD 1, CD 1  
 S.B. No. 2645, SD 2, HD 1, CD 1  
 S.B. No. 2561, SD 2, HD 1, CD 1  
 H.B. No. 1897, HD 1, SD 1, CD 1  
 H.B. No. 2252, HD 1, SD 2, CD 1  
 H.B. No. 1997, SD 1, CD 1  
 H.B. No. 2657, HD 2, SD 2, CD 1  
 H.B. No. 2317, HD 1, SD 1, CD 1  
 H.B. No. 1907, HD 2, SD 2, CD 1  
 H.B. No. 2121, HD 3, SD 2, CD 1  
 H.B. No. 2582, HD 1, SD 1, CD 1  
 H.B. No. 1814, HD 1, SD 1, CD 1  
 H.B. No. 2267, HD 1, SD 1, CD 1  
 H.B. No. 1050, SD 2, CD 1  
 H.B. No. 2489, SD 1, CD 1  
 S.B. No. 2289, SD 1, HD 1, CD 1  
 S.B. No. 2680, SD 1, HD 1, CD 1  
 S.B. No. 2863, SD 2, HD 1, CD 1  
 S.B. No. 2298, SD 1, HD 1, CD 1  
 S.B. No. 3126, SD 2, HD 2, CD 1  
 S.B. No. 2550, HD 1, CD 1  
 S.B. No. 2559, SD 1, HD 1, CD 1  
 S.B. No. 2845, HD 1, CD 1  
 S.B. No. 2555, HD 1, CD 1  
 S.B. No. 2551, HD 1, CD 1  
 S.B. No. 2108, HD 1, CD 1  
 S.B. No. 2106, HD 1, CD 1  
 H.B. No. 1041, HD 2, SD 2, CD 1  
 H.B. No. 2029, HD 1, SD 2, CD 1  
 H.B. No. 2040, SD 1, CD 1  
 H.B. No. 2090, HD 2, SD 2, CD 1  
 H.B. No. 2671, HD 2, SD 2, CD 1  
 H.B. No. 1543, SD 1, CD 1  
 H.B. No. 2626, HD 1, SD 2, CD 1  
 H.B. No. 2646, HD 2, SD 2, CD 1  
 H.B. No. 2772, HD 1, SD 2, CD 1  
 H.B. No. 2363, HD 1, SD 1, CD 1  
 H.B. No. 1046, HD 2, SD 2, CD 1  
 S.B. No. 3102, SD 1, HD 1, CD 1  
 S.B. No. 2833, SD 2, HD 2, CD 1  
 S.B. No. 2915, SD 2, HD 1, CD 1  
 H.B. No. 2049, HD 2, SD 2, CD 1  
 H.B. No. 1752, HD 1, SD 1, CD 1  
 H.B. No. 2016, HD 1, SD 1, CD 1  
 H.B. No. 2605, HD 1, SD 2, CD 1  
 H.B. No. 2482, HD 2, SD 1, CD 1

At this time, the Chair stated:

"Members, please remember to submit to the Clerk the list of House and Senate bills on the consent calendar for which you will be inserting written comments in support or in opposition. This must be done by adjournment of today's floor session."

## ORDINARY CALENDAR

### UNFINISHED BUSINESS

#### **Conf. Com. Rep. No. 13-16 and H.B. No. 1517, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1517, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SENTENCING," passed Final Reading by a vote of 51 ayes.

#### **Conf. Com. Rep. No. 17-16 and S.B. No. 2560, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2560, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Final Reading by a vote of 51 ayes.

#### **Conf. Com. Rep. No. 26-16 and H.B. No. 1943, HD 1, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1943, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Strong support. Long-term care providers in Hawaii have gone without an inflationary increase to their Medicaid rates since 2009. This industry is critical to our increasing elderly population, and they need all the help they can get. This legislation will provide relief by increasing Medicaid rates through a modest inflationary update in fiscal year 2017.

"The appropriated general funds of about \$1.5 million will be matched with approximately \$1.7 million of federal funds. This is for only one fiscal year, so we need to pursue this in future years in order to assist our long-term care providers with the upcoming silver tsunami. Thank you, 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. 1943, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Final Reading by a vote of 51 ayes.

#### **Conf. Com. Rep. No. 28-16 and S.B. No. 2566, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2566, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Final Reading by a vote of 51 ayes.

#### **Conf. Com. Rep. No. 29-16 and S.B. No. 911, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 911, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LATEX," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Ohno voting no.

#### **Conf. Com. Rep. No. 33-16 and H.B. No. 1684, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1684, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Jordan voting no.

#### **Conf. Com. Rep. No. 34-16 and S.B. No. 2392, SD 2, HD 3, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2392, SD 2, HD 3, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, in strong support. Mr. Speaker, with this measure we are taking a large step forward in addressing prescription drug overdoses, in addition to Senate Bill 2915, which has passed on the consent calendar. We are taking large steps forward. So, in strong support and with request to insert written comments."

Representative Belatti's written remarks are as follows:

"I rise in strong support of Senate Bill 2392, Conference Draft 1, Relating to Opioid Antagonists.

"Together with Senate Bill 2915, Conference Draft 1 passed this session, this bill will have substantial impacts in addressing the prescription drug epidemic that is ravaging communities across the country and destroying lives in our own state. Senate Bill 2392, Conference Draft 1 includes numerous measures that can immediately decrease the number of deaths in the State related to opioid drug overdoses.

"First, this bill provides immunity to health care providers and pharmacies who prescribe, dispense and distribute opioid antagonists, such as Nalaxone, that can reverse the effects of opioid-related overdoses.

"Second, this bill, beginning on January 1, 2017, authorizes all emergency personnel and first responders such as police officers, firefighters and lifeguards to administer opioid antagonists.

"Third, Senate Bill 2392, Conference Draft 1 authorizes harm reduction organizations like The CHOW (Community Health Outreach Work) Project to store and distribute opioid antagonists.

"Fourth, this bill has a critical public health focus that requires the Department of Health to collect information and report on the trends in unintentional opioid-related drug overdose fatalities that occur each year in the State. The Department of Health is also tasked with working with community partners to provide education and training on opioid-related drug overdose prevention, recognition, response and treatment.

"As discussed previously, Senate Bill 2915, Conference Draft 1 includes numerous measures also tackling the problem of prescription drug abuse. Both Senate Bill 2392 and Senate Bill 2915 represent a comprehensive approach to reducing prescription drug abuse. Together, these bills place Hawaii in a very good position to partner with federal public agencies and draw down any federal grant monies that address this systemic prescription drug problem. For all of the reasons stated above and previously with respect to Senate Bill 2915, I strongly support passage of Senate Bill 2392, Conference Draft 1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2392, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIOID ANTAGONISTS," passed Final Reading by a vote of 51 ayes.

#### **Conf. Com. Rep. No. 35-16 and H.B. No. 2233, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2233, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 37-16 and H.B. No. 1111, HD 2, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1111, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

Representative Matsumoto rose and asked that the Clerk record a no vote 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. 1111, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Fukumoto Chang, Matsumoto, McDermott and Pouha voting no.

**Conf. Com. Rep. No. 42-16 and S.B. No. 2319, SD 1, HD 3, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2319, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 43-16 and S.B. No. 2387, SD 2, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2387, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

Representative Belatti's written remarks are as follows:

"I rise in strong support of Senate Bill 2387, Conference Draft 1, Relating to Physical Examinations.

"For the last three years, lawmakers and community advocates concerned with the health and well-being of children in our state have long worked on legislation that would ensure children are getting regular physical examinations. This has become even more important as the Affordable Care Act has ensured that preventative services such as annual physical examinations are essential health benefits in any insurance plan sold in our state.

"Senate Bill 2387, Conference Draft 1 promotes preventive health benefits by reconnecting seventh grade public school students to their primary care providers for annual physical examinations. This requirement for entry into the seventh grade presents an important opportunity for parents and their children to address physical, developmental and mental health issues that begin to occur in the pre-teen and teenage years of life.

"Requiring physical examinations for entry into seventh grade will further ensure that families and teens have the opportunity to address health concerns and identify appropriate resources for lifestyles changes to increase a student's performance in attendance, academic achievement, and progress towards graduation.

"As a public health measure, Senate Bill 2387, Conference Draft 1 is also very important since Hawaii struggles with the problem of obesity, with more than one in two adults and over one in four high school students designated as overweight or obese. Cumulatively, Hawaii spends \$470 million a year on obesity-related medical costs and \$770 million on diabetes-related medical costs.

"A physical examination requirement for seventh grade public school students may seem like an insignificant step in addressing these huge costs, but it is with little steps and policies like Senate Bill 2387, Conference Draft 1 that Hawaii can build a better culture of wellness and health where preventative, proactive care becomes a part of everyday life. For these reasons, I strongly support passage of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2387, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICAL EXAMINATIONS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 44-16 and S.B. No. 2896, SD 1, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2896, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF UNFAIR LABOR PRACTICES," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Tupola voting no.

**Conf. Com. Rep. No. 45-16 and S.B. No. 2673, SD 2, HD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2673, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, I stand in support of this measure but I do have some reservations I'd like to just briefly share with the Members. This is a client trust account, Mr. Speaker, for travel agency desks, and while on its face it seems like it's a pressing good need, what concerns me is that the harm in the industry compared to the volume of sales may not warrant this. And so hopefully future legislatures will look at it. Really quickly, you have \$300 million in activities sold a year in the State of Hawaii, and out of that I think there was only \$30,000 in non-paid funds by a travel desk. That's .00003%, Mr. Speaker.

"Now, let's turn to the restaurant industry, Mr. Speaker. The failure rate, that's people not getting paid, vendors and others, is 50%. So the question is, if we are going to look at client trust accounts, we should be looking at areas where you have this type of great harm of non-payment occurring. I just think that given the \$30,000 out of a \$300 million industry just may not be warranted in the future. Thank you."

Representative Ward rose in opposition to the measure and asked that the remarks of Representative McKelvey be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2673, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAVEL AGENCIES," passed Final Reading by a vote of 49 ayes to 2 noes, with Representative McKelvey voting aye with reservations, and with Representatives Tupola and Ward voting no.

At 11:59 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1517, HD 1, SD 1, CD 1  
 S.B. No. 2560, SD 2, HD 1, CD 1  
 H.B. No. 1943, HD 1, SD 1, CD 1  
 S.B. No. 2566, SD 1, HD 1, CD 1  
 S.B. No. 911, SD 2, HD 2, CD 1  
 H.B. No. 1684, HD 2, SD 1, CD 1  
 S.B. No. 2392, SD 2, HD 3, CD 1  
 H.B. No. 2233, HD 2, SD 1, CD 1  
 H.B. No. 1111, HD 2, SD 1, CD 1  
 S.B. No. 2319, SD 1, HD 3, CD 1  
 S.B. No. 2387, SD 2, HD 1, CD 1  
 S.B. No. 2896, SD 1, HD 2, CD 1  
 S.B. No. 2673, SD 2, HD 2, CD 1

At 11:59 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:00 o'clock p.m.

**Conf. Com. Rep. No. 52-16 and H.B. No. 32, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee and H.B. No. 32, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CROSSWALK SAFETY," were recommitted to the Committee on Conference.

**Conf. Com. Rep. No. 47-16 and S.B. No. 2375, SD 1, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2375, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

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

"With reservations, Mr. Speaker. And I look forward to introducing a bill next year to up the speed on the Lahaina bypass, too."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2375, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 49 ayes to 2 noes, with Representative McKelvey voting aye with reservations, and with Representatives Fukumoto Chang and Kong voting no.

**Conf. Com. Rep. No. 56-16 and H.B. No. 2305, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2305, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DWELLING UNIT REVOLVING FUND," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 59-16 and H.B. No. 1739, HD 2, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1739, HD 2, SD 1, CD 1 pass Final Reading, 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."

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

"Thank you, Mr. Speaker. In support. If you'll indulge just a few comments, I'd appreciate it. This bill relating to personal account privacy and social media, Mr. Speaker, 23 states have already passed laws to protect employees' digital civil liberties, and as we increasingly use computers, tablets and other electronic devices at work, we need to realize that Hawaii's legislation has not kept up with the technology.

"This bill protects employee privacy on social media in regards to email as well. The bill prohibits employers from forcing employees and potential employees to provide password or access to private social media pages and personal email accounts. The final draft takes into account the concerns of many different groups, including civil rights organizations, business commissions and various tech and security companies to ensure that employees' online rights will be protected without diminishing essential investigative abilities of employers.

"The bill specifically states that employers may continue to access publicly available information about employees and investigate potential work-related misconduct on private sites. The bill allows for a boss to, for example, friend request an employee, but it also guarantees the employee does not have to accept such request for outreaches on social media. An employee is free to share what they would like with their employer and they are also free to keep private what they like from their employer.

"Finally, this bill is an important step in protecting our right to privacy in the digital age, Mr. Speaker. A right that can be especially significant for members of the LGBTQ community, for pregnant women, crime victims, or other marginalized groups. I believe the right to privacy is essential for all of us, employers and employees. We all have the right for our privacies to not be infringed upon. And as technology increasingly becomes part of our daily lives, it's time we recognize the need to expand our Fourth Amendment rights into the digital age. 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. 1739, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Final Reading by a vote of 51 ayes, with Representative Tupola voting aye with reservations.

**Conf. Com. Rep. No. 61-16 and H.B. No. 2030, HD 1, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2030, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Ruling on a potential conflict. I have, or rather had a company that specialized in and may still have exclusive rights to waste energy technology in the State of Hawaii. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative McDermott rose, stating:

"Mr. Speaker, as my former business partner opined that we both had a sewage disposal company. It is defunct so I don't see a conflict, but I just wanted to note that. 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. 2030, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO POLLUTION," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 62-16 and H.B. No. 2036, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2036, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION DISTRICTS," passed Final Reading by a vote of 51 ayes.

**Conf. Com. Rep. No. 64-16 and H.B. No. 2604, HD 1, SD 1, CD 1:**

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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ACQUISITION OF REAL PROPERTY," passed Final Reading by a vote of 49 ayes to 2 noes, with Representatives Jordan and Say voting no.

**Conf. Com. Rep. No. 66-16 and H.B. No. 2279, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2279, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, ruling on a potential conflict. I work with a law firm that has claims in this, but have not worked on those matters. Thank you," and the Chair ruled, "no conflict."

Representative Jordan 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. 2279, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Final Reading by a vote of 49 ayes to 2 noes, with Representative Jordan voting aye with reservations, and with Representatives Har and McKelvey voting no.

**Conf. Com. Rep. No. 67-16 and H.B. No. 1581, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1581, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Strong reservations. I understand the need for expediting review, but I am concerned that by not going through the normal judicial process, we actually prevent actual public dissent from being heard. And as such, it's with strong reservations I vote for this measure."

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

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

Representative Lowen 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. 1581, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIAL PROCEEDINGS," passed Final Reading by a vote of 50 ayes to 1 no, with Representatives Lowen, Oshiro, San Buenaventura and Tupola voting aye with reservations, and with Representative Tokioka voting no.

**Conf. Com. Rep. No. 69-16 and H.B. No. 2632, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2632, HD 2, SD 2, CD 1 pass Final Reading, 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. 2632, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Final Reading by a vote of 35 ayes to 16 noes, with Representative Ward voting aye with reservations, and with Representatives Aquino, Choy, Creagan, Cullen, DeCoite, Har, Ito, Jordan, Kong, McDermott, McKelvey, Oshiro, Say, Tokioka, Tupola and Yamane voting no.

**Conf. Com. Rep. No. 70-16 and H.B. No. 2391, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2391, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'd like to cast a no vote. Here we are at the end of conference and this bill has kind of changed a lot and I just wanted to thank the conference committee for amending certain parts of it. There are things that have gotten better, specifically disqualifying inmates who have prior conviction history for victim offenses such as assault, violating

TRO, stalking. It also requires DPS to submit an annual record of all misdemeanants that have been excused by the DPS director. It also allows the DPS director to apply conditions that might be applied by a judge, such as staying away from drugs, or staying away from a certain place. And the last thing it does is 48 hours prior to release, the director does have to notify the courts as well as the prosecutors to let them know.

"But I still have concerns with the system that we have and the system that's being proposed. In the prior bill, people were concerned about us overriding the judicial process. And I would say in this one, I think I have similar concerns. Because in our current system in the criminal court, a defendant can make a motion to reduce bail, or a motion to release based upon recognizance in a pre-trial context. And then also you can reduce a sentence in post-trial context. So there are ways that you can plead to reduce your sentence or to possibly be excused.

"But by giving the DPS direct authority over this, this may be duplicative. Meaning that once they go through a court proceeding which requires that the judge hear arguments, the prosecution and defense council, they consider input from victims and then they have to make a public ruling on how they came to that decision, now would be duplicated because regardless of that, they would still go through maybe a similar process with the DPS director who might be able to override that and release that misdemeanant.

"Lastly, I think the question is, there is a lot of overcrowding, but how many people would have to be released in order for us to alleviate that number? And it might be in the hundreds. And so that leaves that concern in my mind of how many law-abiding citizens might be affected by the amount of people that could possibly be released. And how some of these perpetrators with repeated crimes that already know your home, they already know your whereabouts, they've been tracking you for a while and maybe stealing from you, whether it be your personal belongings, bicycle, anything, that you won't be able to know that your perpetrator is back out on the street.

"And so I think that the way out is what we have to consider of how much we're saving versus how much people might not feel as safe anymore, not knowing if their perpetrator is back out there. So I am in strong support of really helping the inmates rehabilitate faster, giving services on the back end so that we can get people through the system and back on transitioning into getting jobs back into society. And so with those comments, that's why I have concerns and vote in opposition. Thank you."

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

"Mr. Speaker, in opposition, brief comments. Three things, Mr. Speaker. First, clearly, we have overcrowding. No one can deny that. But this way of opening the doors makes this bill a get out of jail free card. If you're the public safety director, you can pick and choose who can walk out the door. This is very risky. My previous colleague's speech gave that danger to the public. Which means, public safety is first, Mr. Speaker, not saving money.

"The second thing is, and I think it's probably more systemic than we would like to realize. This bill really shows how much of a failure our system is. I see Kat Brady is up in the gallery. Fifty to sixty to seventy percent, depending if you use a three year or a five year phase to measure it. Recidivism is why the prisons are filled, Mr. Speaker. Knock recidivism down and you got a half-empty prison, or given what we have now, we would have no overcrowding. Which really says, this bill is saying, hey state, get your act together, you can do better than this. Haven't we learned something over the years?"

"So, Mr. Speaker, for those reasons, for protecting the public and asking the system to do a better job of rehabilitating people, I think this is a bad policy. It's a knee jerk, it's cost saving, it's instant, it's really something you don't have to really be a genius about. It's kind of a no-brainer, but it's not effective policy. For those who are in and those who need to come out with some sense of pride in who they are, confidence, and with job skills, we're doing none of that. Even not even giving enough drug rehabilitation for those who got in because of drugs on the first place. Mr. Speaker, we can do better than this. Thank you."

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

"In support. This current version prevents the violent misdemeanants from being released. Now, we all know about overcrowding. What people don't quite realize is that, and maybe we do, maybe the legislator does, because we keep passing these laws making it illegal to do various things. I mean, one of the things that we passed a law on was that voter fraud is a Class C felony. Now these are types of crimes that are non-violent.

"What people don't here realize, until they actually look at the penal code and doing criminal defense, I know this by heart, is that as soon as the judge determines that somebody is to be incarcerated, our current penal code requires the maximum sentence. Which means in a misdemeanor position, the judge cannot say, six months jail. The judge is required, required by what we passed, to sentence them to the full year.

"And that's the reason why we have to give Nolan Espinda, the Department of Public Safety, some leeway. He knows of all people which ones are the most eligible for this. Because we've already tied his hands, we told him, no violence, no crimes of assault, no crimes of even a threat of violence can be released.

"We've got to give him some leeway. Director Espinda knows full well from seeing them in action which ones are the most eligible, and we should give him that opportunity to do so. Thank you."

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

"I just wanted to note my reservations, serious reservations, 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. 2391, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RELEASE OF CERTAIN MISDEMEANANTS," passed Final Reading by a vote of 33 ayes to 18 noes, with Representative McKelvey voting aye with reservations, and with Representatives Aquino, Cullen, DeCoite, Fukumoto Chang, Har, Johanson, Kawakami, Kong, Matsumoto, McDermott, Ohno, Oshiro, Pouha, Thielen, Tokioka, Tupola, Ward and Yamane voting no.

**Conf. Com. Rep. No. 75-16 and S.B. No. 1311, SD 2, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1311, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, in support with brief comments. Thank you, Mr. Speaker. Staffing within our public schools is challenging, we all know that. Staffing in our public schools for students in the special education program with individual education plans is even more challenging. This bill crafts an exemption for behavioral therapists for a period of two years. Just as we would not want physical therapists or occupational therapists without any certification working with students, so too we do not want ABA therapists and RBTs without their proper certification.

"Again, this is a measure that crafts a two year limited exemption, allows the department to begin to build up the workforce for our special education program, and I think strikes the balance at making sure that we will have qualified ABA therapists and RBTs in our school system. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'd like to cast a no vote. I wish I could do both, though. I mean, it does actually make the supervisors have to be licensed and it does require that the RBTs, people that work with the kids in effect by 2019 have to be licensed. My concern is that there hadn't been

significant progress in the hearing shared by the department that they were able to actually get that pool big enough where they had enough qualified people.

"And so this two year, I guess, exemption that we're giving, it still concerns me. Because that means that the people who work with kids every day, not the supervisors but the ones that actually have to interface with the children that actually need this help, won't necessarily be qualified yet. I hope they do get, obviously, by 2019, but it's still concerning to me because many of the parents that testified said, the regression they've seen in behavior over a small period of time, even a year, even two years, has had detrimental effects on their children. And so those are my concerns. Thank you."

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

"Thank you, Mr. Speaker. Respectfully, in opposition. Just a few comments. A school in my district had a lot of issues in the past with behavior analysts, and so I have to vote no on this. Thank you."

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

"Thank you very much, Mr. Speaker. In support. I think this bill represents a good compromise as to how we should proceed in this issue, by giving the Department of Education two years to come up and survey the landscape. What are we talking about? What kind of credentials do people need? What kind of licensure is going to be required? And most importantly, Mr. Speaker, how much is this going to cost?

"Because I know from the Department of Education's point of view, they would love to have everybody fully credentialed and licensed. However, there are two big problems with that. One is funding, and the second is the availability of these types of qualified individuals. So the next two years will give us an opportunity to see what this entails and what kind of resources they will need. Thank you."

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

Representative Johanson's written remarks are as follows:

"Mr. Speaker, I rise with reservations on SB 1311, which would create exemptions for licensing and certification for behavior analysts and direct support workers for autistic students. While I support the efforts to credential more certified professionals who can work with autistic and behavioral needs students, I am concerned that the differing levels of certification and credentials that this bill accepts might be ineffective and ultimately detrimental to these students who have very specific needs. This is the concern of so many parents. Autistic and other special needs students need help, but the help should be provided by qualified professionals, not well-intentioned people without training."

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

Representative Fukumoto Chang rose in opposition to the measure and asked that the remarks of Representative Matsumoto be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Har rose and asked that the Clerk record an aye vote with reservations 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 Oshiro rose in support of the measure and asked that the remarks of Representative Takumi be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

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



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

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

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

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

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

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

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

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

"In support, Mr. Speaker. And I'd like the words of the previous speakers that were in support entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1311, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 47 ayes to 4 noes, with Representatives Aquino, Cullen, DeCoite, Har, Ichiyama, Johanson, Kawakami, Keohokalole, Pouha, Tokioka and Yamane voting aye with reservations, and with Representatives Fukumoto Chang, Matsumoto, Tupola and Ward voting no.

**Conf. Com. Rep. No. 78-16 and S.B. No. 3084, SD 1, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3084, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CESSPOOLS," passed Final Reading by a vote of 50 ayes to 1 no, with Representative Jordan voting no.

At 12:26 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2375, SD 1, HD 1, CD 1  
 H.B. No. 2305, HD 1, SD 1, CD 1  
 H.B. No. 1739, HD 2, SD 1, CD 1  
 H.B. No. 2030, HD 1, SD 2, CD 1  
 H.B. No. 2036, HD 1, SD 2, CD 1  
 H.B. No. 2604, HD 1, SD 1, CD 1  
 H.B. No. 2279, HD 2, SD 2, CD 1  
 H.B. No. 1581, HD 2, SD 2, CD 1  
 H.B. No. 2632, HD 2, SD 2, CD 1  
 H.B. No. 2391, HD 2, SD 2, CD 1  
 S.B. No. 1311, SD 2, HD 1, CD 1  
 S.B. No. 3084, SD 1, HD 2, CD 1

Representative Saiki rose, stating:

"Mr. Speaker, could we recess until 1:15? Thank you."

At 12:26 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:29 o'clock p.m.

At this time, the Chair stated:

"Just for the edification of the Members, the Senate has adjourned, they finished at 12:56 p.m. today."

**Conf. Com. Rep. No. 79-16 and S.B. No. 2850, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2850, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE INDUSTRY REGULATION," passed Final Reading by a vote of 49 ayes, with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 80-16 and S.B. No. 2731, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2731, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," passed Final Reading by a vote of 49 ayes, with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 81-16 and S.B. No. 2670, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2670, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. No vote. Similar concerns to SB 1311. This is dealing with the Department of Health instead of the Department of Education, though, with the sunset date being 2019. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2670, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSTS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Tupola voting no, and with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 83-16 and S.B. No. 3077, SD 1, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 3077, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I am just with reservations and a few words. Thank you. This is the Hawaii Interagency Council for Transit-Oriented Development, the TOD. I am still concerned about the lack of public input into this process, and I hope that we'll watch this TOD movement as it moves ahead. But to make sure in the future that we have a better, meaningful public input component to it. Thank you."

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 S.B. No. 3077, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE COMMUNITY PLANNING," passed Final Reading by a vote of 49 ayes, with Representatives Thielen and Tupola voting aye with reservations, and with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 89-16 and S.B. No. 2849, SD 1, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2849, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO

ESCROW DEPOSITORIES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Tupola voting no, and with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 90-16 and H.B. No. 1878, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1878, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Final Reading by a vote of 49 ayes, with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 93-16 and H.B. No. 2559, HD 1, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2559, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

Representative Jordan 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. 2559, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Final Reading by a vote of 49 ayes, with Representative Jordan voting aye with reservations, and with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 95-16 and H.B. No. 1999, HD 1, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1999, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, may I have a ruling on a potential conflict? My family owns an egg farm and would benefit from this feed subsidy. 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. 1999, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 49 ayes, with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 100-16 and H.B. No. 2205, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2205, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Tupola and Ward voting no, and with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 101-16 and H.B. No. 801, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 801, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR SUNSTRONG LLC, A RENEWABLE ENERGY DEVELOPER SERVING THE GENERAL PUBLIC IN PROVIDING ELECTRIC ENERGY," passed Final Reading by a vote of 49 ayes, with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 102-16 and H.B. No. 1689, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1689, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Please note my opposition to this particular measure, Mr. Speaker. I don't believe it was in the best interest of conference rules that this measure was gut and replaced. Thank you."

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

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

Representative Onishi rose and asked that the Clerk record an aye vote with reservations for him, 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. 1689, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 48 ayes to 1 no, with Representatives DeCoite, Onishi, Tsuji and Tupola voting aye with reservations, with Representative Jordan voting no, and with Representatives McDermott and Souki being excused.

**Conf. Com. Rep. No. 103-16 and H.B. No. 1608, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1608, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Fukumoto Chang voting no, and with Representatives McDermott and Souki being excused.

At 1:34 o'clock p.m., Representative Cullen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:36 o'clock p.m.

At 1:38 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2850, SD 2, HD 1, CD 1  
 S.B. No. 2731, SD 1, HD 1, CD 1  
 S.B. No. 2670, HD 1, CD 1  
 S.B. No. 3077, SD 1, HD 1, CD 1  
 S.B. No. 2849, SD 1, HD 1, CD 1  
 H.B. No. 1878, HD 1, SD 2, CD 1  
 H.B. No. 2559, HD 1, SD 2, CD 1  
 H.B. No. 1999, HD 1, SD 2, CD 1  
 H.B. No. 2205, HD 1, SD 2, CD 1  
 H.B. No. 801, HD 1, SD 2, CD 1  
 H.B. No. 1689, HD 2, SD 2, CD 1  
 H.B. No. 1608, HD 1, SD 1, CD 1

**LATE INTRODUCTIONS**

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

Representative Tokioka introduced Scott and Judy LaBeau from Ewa Beach, and his intern, Jillian LaBeau.

Representative Ing introduced his friend, David Ching.

Representative Ward introduced former Representative Alex Santiago.

## UNFINISHED BUSINESS

**Conf. Com. Rep. No. 110-16 and S.B. No. 2076, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2076, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives McDermott and Tupola voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 113-16 and S.B. No. 2812, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2812, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE SOLICITATION," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 115-16 and S.B. No. 2652, SD 2, HD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2652, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Please note my reservations on this, Mr. Speaker. Normally I probably would've been a no on this, but this does have a five year sunset, so I will watch it for the next five years and see where it goes. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2652, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 49 ayes, with Representative Jordan voting aye with reservations, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 117-16 and S.B. No. 2512, SD 1, HD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2512, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"In opposition. By voting in opposition, I want my constituents to know it's not that I do not love animals. In fact, probably I love animals too much. This bill penalizes those who love animals and decide to neuter them and release them. Instead of allowing for exception to those who are willing to take in the cats, the dogs that stray into their yard and take care of them and spay them, this bill would penalize them. And for those reasons, I say I stand in opposition. Thank you."

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

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in opposition to Senate Bill No. 2512, Conference Draft 1, RELATING TO ANIMALS.

"This bill is not enforceable. Specially, this bill will make it a petty misdemeanor for anyone to 'desert' a pet animal or equine animal.

"The problem is found in the definition of 'desert'. The term is defined to mean 'to leave without the intent to return'.

"Let's say I want to get rid of a 'pet' dog or cat. I take the dog or cat to a neighborhood park in another district and release the animal. So long as I intend to return to that neighborhood park, I would not be in violation of

the statute as it is written in this bill. There is no way of proving that a person does not intend to return to another place.

"The law doesn't even address a situation where a pet animal is released without leaving the owner's property. Caged birds fall under the definition of a 'pet animal'. Say I want to get rid of the birds I own. All I need to do is leave the cage door open. When the birds leave the cage, all I would need to do is close the door and remove the cage. In this scenario, I do not 'leave' anywhere and thus, cannot 'desert' the animal as it is defined in this bill.

"This bill is not well thought out. It gives the public the perception that the Legislature is trying to address the very real problem of owners deserting their pets without doing anything at all.

"For this reason, I am opposed to this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2512, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMALS," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Oshiro and San Buenaventura voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 119-16 and S.B. No. 2922, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2922, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAX REVIEW COMMISSION," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Fukumoto Chang and Matsumoto voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 121-16 and S.B. No. 2547, SD 1, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2547, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

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

"Strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2547, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Thielen voting aye with reservations, with Representative McDermott voting no, and with Representatives Ing and Souki being excused.

At 1:42 o'clock p.m., Representative Cachola requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:42 o'clock p.m.

**Conf. Com. Rep. No. 128-16 and S.B. No. 2723, SD 1, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2723, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENFORCEMENT OF WAGE LAWS," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Kong and Tupola voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 129-16 and S.B. No. 2439, SD 1, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2439, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I rise in support. This measure is a sign of the times that we now live in where we can photograph and film anything, anytime, anywhere with a device that we hold in our hands. This freedom of speech empowers citizens first to hold law enforcement accountable and encourage transparency with those who they serve and protect, and also to protect each other from unfair accusations.

"However, I'd like to point out that the privacy of victims and other first responders are also of vital importance, and I appreciate the language that was added in this bill in the conference limiting filming and photography to appropriate time and places. We need to continue to encourage accountability in our community, as well as ensuring that we provide help where help is needed first and not just trying to get that fame on social media. Thank you, Mr. Speaker."

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 S.B. No. 2439, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Final Reading by a vote of 47 ayes to 2 noes, with Representative Ward voting aye with reservations, with Representatives McDermott and Tupola voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 131-16 and H.B. No. 1749, HD 1, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1749, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. On this measure I have some reservations. This is a good initiative, by the way, but this is about redirecting treated water to government facilities. In my district, we're on the verge of getting R-1 water to be used at nearby parks, schools and the hospital. However, installation of new pipes will be necessary from the treatment plant to whatever facility can use it. So let's keep in mind that these mandates need to be backed by sufficient infrastructure funding. 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. 1749, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER MANAGEMENT," passed Final Reading by a vote of 49 ayes, with Representative Morikawa voting aye with reservations, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 133-16 and H.B. No. 2037, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2037, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WORLD CONSERVATION CONGRESS," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 138-16 and H.B. No. 2561, HD 1, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2561, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. With reservations and a quick comment. I just wanted to say, there's parts of this bill that I appreciate, especially when it comes to clarifying the criminal laws and putting victims first in part VII

of the bill, which actually addresses driving recklessly or at excessively high speeds when fleeing from police. The last part that I had concerns with had to do with raising the theft threshold.

"And so I know we've already talked about this bill, but this bill being so huge and so many parts of it. There are some good to it, but that raising the theft threshold leaves me enough concerns to vote with reservations. Thank you."

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

"Thank you, Mr. Speaker. Reservations, because the measure does raise the theft threshold. Thank you."

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

Representative Johanson's written remarks are as follows:

"Mr. Speaker, I rise with reservations on HB 2561, which provides numerous revisions to the penal code. I appreciate that this bill adds stricter penalties for repeat offenders, as I believe that this will have a strong deterrent effect on crime. However, I am concerned about the provision that would raise the felony theft threshold from \$350 to \$750. Although this raise is ostensibly pegged to inflation, I worry that raising the threshold represents a move in the opposite direction of deterrence."

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

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I oppose certain parts of the bill, specifically relating to the threshold dollar amounts for theft offenses and to sentencing for the methamphetamine trafficking offenses. However, I support the rest of the bill.

"While the purpose of this bill is to enact the recommendations of the 2015 Penal Code Review Committee, I have concerns about the amendments proposed in part V of the bill which increase the threshold dollar amounts for the offenses of Theft in the Second Degree, Theft in the Third Degree, and Theft in the Fourth Degree. Additionally, I have concerns about the amendments proposed in part VIII of the bill which eliminate mandatory sentencing provisions for the methamphetamine trafficking offenses.

"In part V, the bill increases the threshold value of property and services from \$300 to \$750 for the offense of Theft in the Second Degree, and from \$100 to \$250 for the offense of Theft in the Third Degree. The bill also increases the maximum value of property and services for Theft in the Fourth Degree from \$100 to \$250. I have serious concerns about these amendments.

"As the Chair of the Consumer Protection and Commerce Committee, I recommend that the threshold values for these theft offenses not be increased. The current values of \$300 and \$100 are appropriate amounts. To put it in perspective, the state minimum wage was \$6.25 per hour in 2003. The current minimum wage is \$8.50 per hour. Currently, a minimum wage worker would have to work at least 40 hours, over a full week, to replace property worth \$300. The \$300 felony theft amount remains a significant amount. To make \$750 (pretax), a minimum wage worker would have to work 89 hours, or over two weeks. That would be half of the worker's monthly salary before taxes and other deductions.

"Additionally, increasing the theft threshold value from \$300 to \$750 would diminish the seriousness of many theft crimes and reduce the deterrent impact of the theft offenses. Under this bill, theft of property or services valued between \$250 and \$750 would only be a misdemeanor. As such, the many convicted misdemeanor offenders, who are felony offenders under the current law, would not receive the level of appropriate

treatment, counseling, and supervision that they would otherwise receive from felony probation services. This bill would reduce the deterrent effect against crime, while at the same time reducing the level of services to offenders, which itself may increase the rate of recidivism and the number of victims. Thieves know the difference between misdemeanor and felony offenses. With the proposed amendments, thieves will know they can steal up to \$750 in property without triggering felony prosecution. Property owners, particularly small business owners, may suffer greater losses, and are likely to pass all of those losses to their customers.

"In part VIII, the bill eliminates mandatory sentencing provisions for the methamphetamine (Meth) trafficking offenses. I have concerns about these amendments, which will significantly reduce the consequences of trafficking methamphetamine. Meth is one of the most commonly abused drugs in Hawaii, and by far the most dangerous. Meth destroys families and is frequently a factor in violent and property crimes.

"Mr. Speaker, the current methamphetamine trafficking offenses were adopted in 2006 to address the serious problem of methamphetamine abuse in our community. Meth has ruined numerous lives. The trafficking offenses were intended to target the distributors and sellers who were providing the drug to vulnerable individuals, getting them addicted to the substance, and making profits from their addiction. Mr. Speaker this bill will allow these traffickers to get probation.

"Also, the bill does not simply change the penalty for an offense; it repeals offenses, creates new offenses, and requires defendants to be retroactively prosecuted and/or resentenced on one of the new offenses. The elements of a new offense may be the same or similar to a repealed offense, but it is a different offense, with different penalties. If enacted, the proposed retroactive application raises several issues. For example, it is not clear if a defendant needs to be charged and prosecuted on the new offense. Finally, it is not clear if the state prosecutor, who has charged and prosecuted a defendant under a valid and existing law, is required to undo that prosecution and start anew.

"The bill seems to indicate that a defendant who has been convicted and sentenced, and whose case is on appeal, shall be entitled to be resentenced under one of the new offenses, if the judgment is affirmed on appeal. But if a judgment is affirmed on appeal, then the conviction is a final judgment, and the provisions of this bill would amount to the Legislature overturning a final conviction and thereby possibly violating the separation of powers doctrine. Finally, the measure does not address the issue of resentencing a defendant for an offense for which the defendant was never charged or prosecuted.

"For these foregoing reasons, I support HB 2561, HD 1, SD 1, CD 1 with reservations."

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

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

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

"No vote on the shoplifters dream bill, 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 Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

At 1:48 o'clock p.m., Representative Tokioka requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:48 o'clock p.m.

Representative Har rose, stating:

"I apologize Mr. Speaker, and apologize to you and the clerks. Could you please have the Clerk change my reservations to a no vote? Thank you."

Representative Tupola rose, stating:

"Same request, a no vote."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2561, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ADMINISTRATION OF JUSTICE," passed Final Reading by a vote of 41 ayes to 8 noes, with Representatives Fukumoto Chang, Johanson, McKelvey, Pouha, San Buenaventura and Thielen voting aye with reservations, with Representatives Aquino, Cullen, Har, Kawakami, McDermott, Tupola, Ward and Yamane voting no, and with Representatives Ing and Souki being excused.

At 1:51 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2076, SD 2, HD 1, CD 1  
 S.B. No. 2812, SD 2, HD 2, CD 1  
 S.B. No. 2652, SD 2, HD 2, CD 1  
 S.B. No. 2512, SD 1, HD 2, CD 1  
 S.B. No. 2922, HD 1, CD 1  
 S.B. No. 2547, SD 1, HD 1, CD 1  
 S.B. No. 2723, SD 1, HD 2, CD 1  
 S.B. No. 2439, SD 1, HD 1, CD 1  
 H.B. No. 1749, HD 1, SD 2, CD 1  
 H.B. No. 2037, HD 1, SD 2, CD 1  
 H.B. No. 2561, HD 1, SD 1, CD 1

**Conf. Com. Rep. No. 143-16 and H.B. No. 2569, HD 2, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2569, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, this is the bill that would codify our goal to have the Department of Education fully net-zero by 2035, that's in 18 and a half years. Mr. Speaker, I'm very excited to get this work started, I'm very excited to see our repair and maintenance backlog, a big dent made in that backlog so that we can see energy efficiencies within our schools. I'm very excited to see our 255 public schools, 34 charter schools, to see them also, many of those buildings become LEED buildings. Just recall that the 255 public schools are often made up of multiple buildings.

"I do know that in this journey to get this work done, today's vote is going to be the easiest part, and the work is ahead of us. And sometime in the coming future, the Department of Education is going to come to us with a bill, saying that they're going to need this much money to become fully net-zero by 2035. And when that day comes, I look forward to seeing this body and the energy sector come and support that appropriation of funds to reach the schools. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I am in strong support of the measure, however I do have some reservations that I'd like to express in comments in the Journal, if that's okay with you. Thank you."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, after thorough review, I applaud the language change in House Bill 2569 which funds classroom cooling through \$100 million in general revenue (from unexpected federal Medicaid reimbursements) and

\$30 million in general obligation bonds, instead of borrowing the funds from the Hawaii Green Infrastructure Special Fund (GEMS).

"Despite my strong support of solar technology, the concept of using 'solar-powered air conditioning solutions' that utilize 'solar panels and batteries without the need to connect to the electric grid' to cool our schools, as HB 2569 HD 2,SD 1,CD 1 suggests, warrants thorough review not included in this legislation. Hawaii's individual non-interconnected island grids have some of the highest levels of distributed solar penetration in the country. This means that during peak solar hours (10am – 2pm) Hawaii's electrical grids often have too much energy and are forced to curtail other forms of energy. Taking any school cooling load off the grid via battery storage would eliminate any possible benefits this load could provide (as a dispatchable resource) to the grid. By keeping school cooling systems connected to the grid, schools could help to absorb the utility's excess daytime load, therefore reducing the need to curtail other energy sources during peak solar times. Also, if battery storage technology is to be used to help integrate the Cool Schools Program (especially ratepayer-funded infrastructure), such technology must be connected to the grid so all ratepayers can receive the ancillary benefits (energy storage, frequency modulation, voltage regulation, etc.) provided by the battery infrastructure.

"With respect to other aspects of HB 2569, HD 2,SD 1,CD 1, I support parts (1) Establishing a goal of becoming net-zero with respect to energy use by January 1, 2035; and (2) Establishing microgrid pilot projects at public schools that also serve as emergency shelters.

"For these foregoing reasons, I support HB 2569, HD 2, SD 1, CD 1 with reservations."

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

"Thank you, Mr. Speaker. In support. I just want to point out, we had a \$5.2 million general fund appropriation in the budget to help DOE pay its utility bills. We gave them \$100 million to work on heat abatement. And so we don't want to go forward without pushing them to be more efficient and to use renewable energy. We're going to end up with \$100 million appropriation to help them pay their utility bills if they all put in AC and we have no goal set in the law to move in that direction. So, in strong support. Thank you."

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

"Strong support. I just ask that the words of the Vice Chair of Education and words of the Vice Chair of Energy & Environmental Protection be entered into the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"Thanks. In support. I just note that our current expenditures over the next 19 years up until 2035, the existing electric bill for the Department of Education, if unaltered, would reach nearly \$1 billion. Even we can make even a 2% annual reduction in our consumption, by just being a little bit more efficient, just that little bit, that's over \$300 million in general fund savings that we could put back into classrooms and other uses. 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. 2569, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 49 ayes, with Representative McKelvey voting aye with reservations, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 147-16 and H.B. No. 1902, HD 2, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1902, HD 2, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, in strong support, request to insert written comments. And just real quick, thank you to this body for passing this measure, as it was a priority of the Women's Legislative Caucus. Thank you."

Representative Belatti's written remarks are as follows:

"I rise in strong support of House Bill 1902, Conference Draft 1.

"For many years, the Legislature has worked on the issue of modernizing Hawaii's prostitution laws to explicitly identify sex trafficking as a crime and apply a more victim-centered approach to the problem of prostitution in our community. House Bill 1902, Conference Draft 1 accomplishes this goal by defining the crimes of sex trafficking and promoting prostitution while strengthening laws and penalties against sex traffickers.

"Of particular importance in this bill is the treatment of minor victims who are less than 18 years of age as victims and not criminals. As explained by the Hawaii State Commission on the Status of Women, 'children are the most at risk demographic for sex trafficking' with the 'average age of entry into prostitution . . . between 12 and 13 years old.' By amending our penal code, victims of sex trafficking, especially child victims, will not be labeled and treated as criminals, but rather as victims who can obtain resources, support and treatment services.

"The perennial opponents to this bill disingenuously argue that House Bill 1902, Conference Draft 1 legalizes prostitution for minors and suggests that by making prostitution a violation for minors, '[i]n the haste to attempt to protect minors, this provision exposes minors to more danger.' These same opponents continue that under House Bill 1902, Conference Draft 1, 'pimps would recruit minors by telling them they could make money and if caught, it is only a violation and not a criminal act.'

"What these opponents fail to recognize with their arguments is that House Bill 1902, Conference Draft 1 actually empowers prosecutors and provides stronger laws and penalties to hold responsible those who are the actual criminals, those who are the pimps engaged in the act of trafficking minors for sex or the 'Johns' who pay money to exploit and have sex with minors. Under the new provisions in House Bill 1902, Conference Draft 1, persons who pay, agree to pay, or offer to pay a fee to another to engage in sexual conduct and who do so in reckless disregard of the fact that that other person is a victim of sex trafficking can be charged with and found guilty of a Class C felony. Similarly, for those who engage in sex trafficking of a minor, this bill now allows the prosecution to prove only that the person committing the offense acted negligently with respect to the element of proving the victim's age.

"Hawaii has long waited for its laws on sex trafficking to catch up to the rest of the country in order to more comprehensively protect individuals coerced into the sex trade. Because House Bill 1902, Conference Draft 1 is a culmination of the many years of work invested into this matter by a coalition of community advocates and the Women's Legislative Caucus, a bipartisan group of legislators representing all corners of our state, I strongly support passage of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1902, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEX TRAFFICKING," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 148-16 and H.B. No. 2156, HD 2, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2156, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Oshiro voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 149-16 and H.B. No. 260, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 260, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Rhoads voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 152-16 and S.B. No. 2384, SD 1, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2384, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, just wanted to ask for a ruling on a potential conflict. The chair of my campaign committee is a member of a *hui* that was applying for one of the eight licenses. Thank you," and the Chair ruled, "no conflict."

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

Representative Johanson's written remarks are as follows:

"Mr. Speaker, I rise with reservations on SB 2384. I am very supportive of the provisions of the bill that pertain to unannounced inspections of medical marijuana dispensaries for license renewal. Medical marijuana, if not properly regulated, can negatively impact public safety and health on a societal level. We need double-check mechanisms to protect the public, including, but not limited to, unannounced inspections of dispensaries for the purpose of licensing. However, I am concerned about the sections of the bill relating to unannounced inspections of care facilities. Specifically, I am concerned about linking these inspections to re-licensing. Residential care facilities represent an important part of the health care spectrum, and we need to make sure that we do not place burdensome restrictions on these facilities that may cause them to leave the healthcare sector. I appreciate the work of the conference committee in delaying the onset of healthcare facility inspections for three years, but I would still hope that we can find an alternative to these inspections that ensures quality care and a reasonable and practical regulatory framework for care facility operators. I understand the need for inspections, but I would hope that we can find a way to inspect without compromising our overall health care network."

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

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

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on SB 2384, SD 1, HD 1, CD 1.

"I support the unannounced inspection for marijuana dispensaries that will improve our communities' safety. My reservation is with section 2 of this bill regarding the relicensing and recertification for those homes that care for those in need. I want to ensure that our *kūpuna* and those who are being cared for are done so in a safe and responsible manner within a certified care home. That is why the Department of Health has the ability to do these unannounced visits, and I believe that three year implementation delay will allow the department to develop efficient and effective alternatives of ensuring safety. This bill will adversely impact those homes who are properly caring for our *kūpuna*."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2384, SD 1, HD 1, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO LICENSING INSPECTIONS," passed Final Reading by a vote of 42 ayes to 6 noes, with Representatives Aquino, Cullen and Johanson voting aye with reservations, with Representatives Har, Ito, McDermott, Oshiro, Tupola and Ward voting no, and with Representatives Ing, Kawakami and Souki being excused.

**Conf. Com. Rep. No. 153-16 and S.B. No. 2888, SD 2, HD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2888, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH PROCEDURES," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 155-16 and S.B. No. 2196, SD 2, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2196, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAW ENFORCEMENT OFFICER INDEPENDENT REVIEW BOARD," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives McDermott and Tupola voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 156-16 and S.B. No. 2618, SD 1, HD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2618, SD 1, HD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thanks, Mr. Speaker. In strong support and would just like to enter my comments on this bill on third reading," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2618, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 158-16 and H.B. No. 1753, HD 3, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1753, HD 3, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, in support and I just thank the body for passing a bill that I hope will allow thousands of my constituents to sleep better at night. *Mahalo*."

Representative Cullen rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 1753, HD 3, SD 2, CD 1.

"Moped safety awareness has definitely increased over the years. I appreciate the House and Senate Transportation Committee Chairs for passing this measure addressing the concerns of our constituency.

"This measure is one that speaks of collaboration. With the support of various neighborhood boards and the city council, this measure is the start to making our shared roads safer."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1753, HD 3, SD 2, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO MOPEDES," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 162-16 and H.B. No. 2722, HD 1, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2722, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 164-16 and H.B. No. 2008, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2008, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, with slight reservations. I know this bill has been a long time in the making, but I also know it's been a long time the way that we've run government. We've had temporary employees forever and ever. Not that this will stop government, but it's certainly going to slow it down, unless we adjust very well and get our recruitment and our HRD sped up. Otherwise this is going to be, it's a bill we should watch to see if it actually works. It may have unintended consequences, but let's see where it goes. For those reasons, I'm in support with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2008, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT," passed Final Reading by a vote of 46 ayes to 3 noes, with Representative Ward voting aye with reservations, with Representatives Oshiro, Say and Tokioka voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 165-16 and H.B. No. 2715, HD 2, SD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2715, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 49 ayes, with Representatives Ing and Souki being excused.

At 1:58 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:59 o'clock p.m.

**Conf. Com. Rep. No. 166-16 and H.B. No. 1370, HD 1, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1370, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"In strong support. This is the second time I've introduced this bill and hopefully it will pass this time through. I just want to make sure the Legislature knows that there are many times when our constituents come to us, especially in an election year, and tell us, we pass laws that help the poor, we pass tax credits and deductions that help the rich, what about the middle class, what about the working class?"

"This is a working class bill. This bill helps the working class divorced people, save them thousands of dollars and having to pay for another attorney. This helps the abused woman who normally would end up having to give up their share of retirement for fear of having to face their abuser again. This bill helps everybody else. It also helps the Judiciary, because

those are another set of hearings that the judges, which are already overcrowded, do not have to hear.

"For all those reasons, this really helps a community and it is 40 years overdue. It's been passed on the mainland, it's been passed in multiple states. It's about time it passes here. Thank you."

Representative Jordan 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. 1370, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE," passed Final Reading by a vote of 49 ayes, with Representative Jordan voting aye with reservations, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 167-16 and H.B. No. 2353, HD 2, SD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2353, HD 2, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

Representative Aquino 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 opposition to the measure, stating:

"Opposition, Mr. Speaker. Most of my opposition pertains to section 3. I do support section 2 of this measure and I think it's very important that we have those healthcare workers get up and hired and exempted until we can get them permanent positions. But again, most of my opposition is to section 3 of this particular measure. Thank you, Mr. Speaker."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, 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."

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

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

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

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

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

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

Representative Ohno 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. 2353, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM



CIVIL SERVICE," passed Final Reading by a vote of 48 ayes to 1 no, with Representatives Aquino, Choy, DeCoite, Har, Ichiyama, Kawakami, Morikawa, Ohno, Oshiro, Pouha, Say, Tokioka and Tupola voting aye with reservations, with Representative Jordan voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 168-16 and H.B. No. 2009, HD 1, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2009, HD 1, SD 1, CD 1 pass Final Reading, 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, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOISTING MACHINE OPERATORS," passed Final Reading by a vote of 49 ayes, with Representative Tupola voting aye with reservations, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 169-16 and H.B. No. 1527, HD 1, SD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1527, HD 1, SD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

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

"Strong support. Thank you."

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. 1527, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 48 ayes to 1 no, with Representatives Thielen and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Ing and Souki being excused.

**Conf. Com. Rep. No. 170-16 and H.B. No. 1850, HD 1, SD 3, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1850, HD 1, SD 3, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm standing to speak firmly against the Airbnb bill. My concern is that we'll be exchanging a potential tax revenue for TAT and GET of \$15 million for the degradation of our neighborhoods, not just on the island of Oahu but on our neighbor islands. These renters are clever, and we all know that they've been renting out parts of our public beaches, parts of our public parks. That's something that we won't ever be able to get a handle on again. And where we are authorizing a Airbnb billion dollar operation that its whole stated purpose is to open up everything for rental and we'll collect the tax money for you, but where we're authorizing that entity to go ahead and do it, we're going to end up with neighborhoods that you won't recognize anymore.

"One of the impacts that I've seen is that the price of houses in areas, it can range from Ewa to Kailua to Waimanalo, wherever, that the price of housing, now you're factoring in how can you churn this to the Airbnb customers. It's putting a false value on those homes, which are placing them out of reach of our local families, because these many times overseas, out-of-state owners buy them and think, hey, we've got a mini

hotel right there in Ewa, we've got a mini hotel right there in Waimanalo. And we're going to go ahead and churn that. And they're going to do it.

"I think that that is tainted money, because it comes at the cost of housing for our local people, and I don't want to vote for a measure like this. It may mean we have to forgo those tax revenues, but the flip side is, we then have the housing for families that want to stay here, whose children want to stay here and live here, and they won't be priced out of their homeland. So I vote a very, very, very strong no. I'm sorry to see this bill move out of the House. It almost failed in the Senate. I wish it had. Thank you."

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

"Mr. Speaker, no vote and may I request the remarks of the Representative from Kailua to be entered into the Journal as my own," and the Chair "so ordered." (By reference only.)

Representative Ward continued, stating:

"I'll add one comment, Mr. Speaker. If we were really serious about stopping this, we would have added not that there would be attestation to the legality or the city and county permitting process, it would be a way of showing proof that there is a legal permitted land use for the B&B or whatever use for accommodation for vacation rentals. This bill kind of goes half way, it's not really what it should be, and for those reasons I think we better watch this one very, very, very closely. Thank you, Mr. Speaker."

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

"Mr. Speaker, with reservations. As a prior speaker had said, I live in a district with a lot of single-family homes, where people would like to stay, where their children would like stay. But this kind of bill will promote more density, more bothersome neighbors, and make the neighborhood less pleasant. So for those reasons, I stand with reservations."

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

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, I believe this bill sets a very poor precedent. It puts the needs and desires of mainland tourists above those of our citizens and our local residents. Excessive numbers of short-term vacation rentals in residential areas play a huge role, as mentioned before, in driving up rent prices. And it contributes to increasing homelessness. Additionally, I believe this bill forces the State to collude with criminals.

"We cannot simply tax illegal activities while turning a blind eye to the fact that they are illegal. And I've heard colleagues mention that, well the counties have to enforce this. We know they don't. We know they won't. And yet we go out of our way to collude with criminals. It can't be just about collecting taxes. The social cost, Mr. Speaker, is too high. This measure shields illegal renters from oversight of the tax department, since the tax department would have no way of verifying that the information is provided.

"Mr. Speaker, this in some sense is an assault on our number one industry, tourism. It's an assault on the way of life of local people by assaulting the very communities that they live in and changing the nature of them. It takes away jobs from people in my district who work in the hotels. As mentioned, it contributes to homelessness. And one of the most outrageous arguments that I hear, Mr. Speaker, is that some people, some poor people who live on the beach, aren't going to be able to afford their homes anymore unless they have illegal vacation rentals. Cry me a river for the poor rich person who lives on the beach, who has to conduct illegal activity to have that lifestyle. Give me a break.

"This is outrageous and it should not be passed. And at the very least, any bills that we passed to collect taxes should at least make sure that people follow the darn law. Thank you."

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

"In strong support, Mr. Speaker. I don't know where to begin. I think our neighborhoods have already become overrun. I am somebody who's been watching my beach loops. Upena, Makua, Makau, Fricke, these are all beach loops in my district where 15 to 20 years ago you could have bought a home on one of those loops for \$350,000, beach front. About 15 years ago, you couldn't touch one of those for \$700,000. Right now, those homes are sold by Sotheby's. People don't know that's a big, huge real estate broker out of New York.

"I've already seen my community change with transient, short-term rentals, bed and breakfasts, whatever term you wish to use. I've watched my county, City and County of Honolulu, District 1, rarely talk about it in the last 18 years. I sat on the neighborhood board for 12 years. That is a city entity, and we discuss these issues. Never rose to the occasion of the council. Currently, there's less than 300 permitted, legal short-term renters on Oahu. But yet there is a study that came out a couple of years ago of 23,000 within Hawaii. Either we're going to take the stance and start pushing the dial, or we're going to sit back and we're going to be out of control. I think we're out of control already.

"So what this measure really does is it keeps the perspective on where the state jurisdiction ends. Most of these issues people are talking about are county ordinances, county permitting and county enforcement. Last time I checked, I thought we were the state. We don't overrule or take away home rule of our counties, all four of them. And I believe the County of Kauai has been addressing this the last three to four years that I've heard of. I think the County of Hawaii has been starting to address it. The big animal in the State is Oahu.

"Does the visitor industry need short term rentals? Yes. When we keep hearing, no more hotels, 8 million visitors, 6 million rooms, where are the other people going? Really, I don't want them in my neighborhoods. I don't. Now they are. Unless our neighbors start calling their respective counties and turning them in for the illegal permits, the illegal uses, unrelated bodies in those houses, we have no jurisdiction, meaning the State has no jurisdiction over that. If you have an illegal vacation rental, they owe their general excise to the State of Hawaii, they owe their transient accommodations tax to the State of Hawaii. Legal or illegal, read our statute. There are estimates of \$4 million to \$15 million laying on the table.

"When somebody said earlier today, where are the revenue generators off our order of the day today? This is a revenue generator. I heard the word Airbnb today. This is not Airbnb's bill. This is a mechanism for any entity to come before our Department of Taxation and apply for a license. You're not going to pay for it, you're going to become a tax collector. You're going to become responsible for that GE and the TAT. You're going to be in compliance with Act 204 from last session.

"We're not going to say if they're legal or illegal, that is a county issue. We are trying to collect our tax. When Department of Taxation keeps coming to this body and asking for more bodies to collect our taxes and enforce people not paying their taxes, of which \$900 million is still owed to the State and we're not collecting it, how do we pass out credits for our low income renters?"

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

Representative Jordan continued, stating:

"How do we provide credits to child care and increase open doors programs, when we don't have enough money? Now some people might say, \$15 million, ah, just leave it on the table. In New York, this industry has doubled every single year for the last four years. If you look across the country, the implementation on these rules and these laws are all county and municipalities. Again, city issues, not state.

"This measure before you really does not touch any of the city issues. And I challenge every one of us to go and talk with our personal councilmembers and say, when are they going to start talking about that

issue? So Airbnb, or VRBO, or whatever their funky names are, because millennials create little applications to do business by technology, have created a new world that our statues haven't caught up to. That's all this is talking about.

"So unless an entity comes forward and requests to be that taxpayer, this measure is just being placed in statue, modeled after MLM in our current statue. And I think it's a decent measure for what we were given to deal with. And I thank those who are going to support it. I thank our Senator counterparts for having the courage to move this forward. Because this is telling our constituents we need to move it forward. We need to have these discussions. And we need to go to our respective counties. And when people are going to say, well, what about those people trying to rent open spaces, a.k.a. Makua, which was pictured on a Airbnb site. I get it. It's illegal to re-rent any permit you get from the State or the City and County of Honolulu.

"So people need to address the illegalities. If you have a problem with those interface companies, shoot them an email. After it was brought to the company Airbnb that 30 of those were public properties, they removed them off their site. So we have to do our due diligence and remind them when we see something that's not correct. Should I force them to have filters? They're going to be placing a TAT number on there. Anybody that's on that host website will have to follow our rules.

"I think this measure will help us going forward, especially if this is going to grow. And it is going to grow. And at some point in time, the ones that are causing most of the problems are going to get out of the business, because they can't afford it. We are only trying to collect what is owed to us, that's all. Nothing more. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support with strong reservations. This bill does not fix all of the challenges that our communities are facing with our current situation. I would like to at this time adopt the words of the Representative from Waianae," and the Chair "so ordered." (By reference only.)

Representative Pouha continued, stating:

"After reading over this measure and following it this session and reflecting on both sides of this issue as per my constituents sharing their thoughts with me on both sides of this measure, I find that within the stewardship and the purview which the State has, this action through this measure seems appropriate, although many would disagree.

"But I would like to see in the coming years that we perhaps address that issue as it comes along, and also speak to our counterparts across the street. This unpermitted activity is creating a problem, a problem that has been going on for a long time. So with that, thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In opposition. Mr. Speaker I urge this body to move cautiously on this measure. As a former councilmember, I was on Kauai when we took up the vacation rental issue. And I say that we should move cautiously because I can tell you that as they created the framework on how to deal with these illegal vacation rentals, what happened was these illegal vacation rentals were paying their GE tax and paying their TAT, and because of that, it legitimized their business. They said, hey, we've been paying these taxes all along, so we should be grandfathered in. And on Kauai that is exactly what happened.

"They made the case that, hey, we've been paying our GE tax, we've been paying our TAT, so that should make us legal. And that's exactly what happened on Kauai. It decimated neighborhoods, it moved local families out, it priced local families out. So I urge this body to move cautiously on this measure. It's almost like saying, if a drug dealer is paying their tax, should they be legal? So, it happened on Kauai, I'm afraid that it could happen statewide, so we should move cautiously. Thank you."

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

"Mr. Speaker, in strong support. I'd like to have the words of the Representative from Waianae entered as if my own," and the Chair "so ordered." (By reference only.)

Representative Onishi continued, stating:

"Mr. Speaker, I'd like to thank the Representative from Waianae and her staff for crafting a bill that I think appropriately addresses the State's requirement in regards to this whole issue. We've had, and I'm sure all of you have had, numerous emails and contacts regarding this issue. And I for one serve in the State Legislature. This is a state issue in terms of taxation. The State is not responsible for the permitting of property in any of the counties. That's a county responsibility. And the counties come to us and request more and more money, saying, we don't have enough money, or, you guys are taking away our money for us to do our job.

"Well, this is an opportunity for them to look at their revenue stream and to work on this issue and get more revenue through property taxes for these people that are illegally having accommodations in their homes. Either they can stop that from happening, or they can permit them. And if the county councils decide to permit them, because of their argument that they're paying taxes, then that's their decision. They can increase the property taxes, they can bring in more revenue, they can hire enforcement people within the counties to do their job. It's not our job to do their job, and they don't want to do our job. So, again, I stand in strong support and I want to thank the Representative from Waianae for doing a great job. Thank you."

Representative LoPresti rose to respond, stating:

"I just want to address a couple of points that have been made. I think we're setting the counties up to fail, as my colleague from Kauai had mentioned, who served on a county council. I think we're setting up the counties to fail because the next step, Mr. Speaker, should this succeed, will be in a few years the same group pushing this will go to the county councils and say, see how much money you got? Cash in hand's a tempting thing. And we're setting them up to be in a position where they can't say no, and in a sense we're forcing that decision upon them.

"I hear so much back and forth about, well it's county jurisdiction or state jurisdiction, it's home rule, the state determines this. And the only theme that I see when those kinds of things are brought up is, what side is big business on? Does it benefit them to say it's the State? Then it's the State. Does it benefit them to say, well, it's the counties? Well, then it's the counties.

"If it's a county bill, well, we don't need it then. We don't need this bill, if it's a county issue. When the counties pass something about GMO labelling or pesticides, oh, no, no, no, that's a state jurisdiction thing. And the only logic here is what side's the money on. Well, that's not enough for me, and that's why I'm opposed to this. Thank you."

Representative San Buenaventura rose to respond, stating:

"In support. I would also like to thank the Representative from Waianae who has come up with this bill. I believe it's quite ingenious. And I'd like to point out to the people who are opposing it what history has taught us, and maybe they failed to remember that Al Capone was actually arrested and convicted for tax evasion, not for the illegal enterprise that he was actually doing. So if you want to talk about this as an enforcement tool, this is an enforcement tool not only to collect taxes, but potentially for law enforcement purposes.

"If we don't pass this bill, the illegal activity will continue. If we pass this bill, we actually have an enforcement capability that we did not have before. So, I fail to see the reasoning behind the people who oppose it. It is so difficult in the Legislature for us to raise taxes, as shown by the gas tax brouhaha that happened. Here we have an opportunity to increase our revenue not by increasing taxes, but actually enforcing it against illegal activity, and why shouldn't we grab it? So for those reasons, I support it. Thank you."

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

"Mr. Speaker, during the first cross I did vote against the measure with the Representative from Kaimuki, and I'll support the opposition to this particular measure. But for the Members of the House and the general public who are listening to today's debate, it's a question of one's quality of life. For those of East Honolulu where there has been abuse of the B&Bs, it is occurring. Will this measure, like what the Representative from Kauai of the North Shore stated, if they be a part of that agency that would be paying the taxes, will they be grandfathered in? That is a question that the Members of this House will have to address. But for those on the neighbor islands, maybe because your density is so limited as far as how vast your islands are. But for East Honolulu it is an issue.

"Two weeks ago walking on 10th Avenue, this young man who is in his 60s, Cliff is his name, talked to me about, Representative Say, right next door to my house I know there is a B&B. One, two o'clock in the morning you hear the suitcase going up the stairs then you hear people talking. Two weeks later there is another group of individuals. I did call the Department of Planning and Permitting to ask that an investigator go out. At that point, they had a hard time finding who the property owner is, if it was rented out to another individual.

"My point to you this afternoon, for the Members of the House, is a question for those who consider the quality of life that we have here in the State of Hawaii that I enjoyed as a youngster in Palolo Valley. Will it become a segment of Waikiki past the Ala Wai Canal?

"For those reasons, I do support what the Representative from Kauai has stated, and I hope, I truly hope that we had some idea that we could have set aside some monies for the respective counties in hiring more inspectors. Really.

"If we're saying to ourselves, like I stated before, we're all in the same canoe. The State and the county. And at the end of the day, we have the general excise tax, we have the income tax, we have all the other taxes except property taxes, which is for the county. My other concern would be this. If it is legitimized in a particular residential district and the city and county wants to increase the property tax values, what about our surrounding neighbors whose values are going to go up based on the increase in the property tax of an absentee land owner who has invested a lot of money in having these types of B&Bs? Don't get me wrong, I've heard debate on the floor that yes, we don't want to see property tax increases, we don't want to see GET increases, we don't want to see TAT.

"But I truly believe, and I'll make the statement, I don't believe this is part of our overall financial plan as a revenue enhancement. If we hit, we hit. We've had the Department of Taxation hire collectors in the past to go and collect monies, delinquent taxes. And this is one approach that we are taking today.

"But in the overall summary, if it does create a lot of frustrations for all of us here on the floor, that is my concern. But for the bigger scheme of things, money and sacrificing our quality of life. I've disagreed in the neighborhood boards in regards to ADU, additional dwelling units. Why? You add more density to a home whereby you encroach on your neighbor's driveway. These issues are issues that I face in my district that I represent and maybe for a lot of other Members in the Honolulu proper. And it is for that reason why I am still opposed and I'll continue to be opposed. Thank you very much."

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

"Thank you, Mr. Speaker. In opposition. I just want to thank the Representative from Palolo for those reflective questions. I think quality of life is a huge question in this debate that we're having over this bill. I'd like the words of the Representative from Kailua inserted as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Tupola continued, stating:

"I'd also like to commend the Representative from Kauai, as many of my family members on Kauai frequently talk about what a big problem this is. I don't know when it wasn't brought up as one of the big reasons why they're concerned about how much Kauai is changing and how many people own properties that aren't from the island.

"And so in addition to my colleague from Ewa Beach bringing up, I don't know if there is any other issue that we would actually feel okay that doing something illegally is okay just as long as you are paying taxes. And I think that that's the fine line that we're walking here, is that we need to be, again, approaching it cautiously, because again, on any other issue we wouldn't be okay with that. But because somehow it's run rampant, we think if they pay taxes that it's going to be okay. I think we really do need to approach this cautiously because Hawaii is already changing.

"I want to thank the Representative from Waianae for bringing up the fact that we can actually report these on our own. And maybe it's neighborhood by neighborhood, community by community starting to do that. Do more reporting of these illegal entities, maybe going online and actually looking these up and reporting them as opposed to thinking that a law is going to cure it. Maybe we all need to take some of that responsibility into ourselves and into our own communities so that we can start to protect and preserve that which is for the local people of Hawaii. And so for those reasons, I stand in opposition. Thank you."

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

"Thank you, Mr. Speaker. In strong support. This issue is a tough one, but I wanted to especially thank the Representative from Waianae who crafted what you see as CD 1 today. This is not the same language we saw when it passed the House, and this is a difficult issue for a lot of people. But for us it is about state taxation. She was able to figure out some type of compromise between what the House initially passed and what we see today. So it's a tough job, and I'm glad that she was able to work through this issue. And so if I could adopt the words from the Representative from Waianae, the Representative from the Third District, and the Puna Representative as my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, in support. If anybody knows what hardship is in a district of low, highest economic unemployment and welfare, it's the canoe district of District 13. I'd like to thank the Representative from Waianae for bringing this bill forward. On Molokai, we have very little opportunity and we have very few ways to draw income. In areas of low income, there have been vacation rentals, Airbnb's. Where I'm from, I hear what everybody's saying. You have those that have encroached into our areas, the dogs start barking and then the person comes in and complains about it. It's for us as well as those to educate those people who do these rentals. Talk to your neighbor. Have that conversation.

"But we hear funding. We need more funding for schools, for education. And at some point I believe the education should go both ways. As us as legislators to also understand the needs of our community, and I know many of us do. Which is why many of us have serious concerns about the diversity of who we are and where we're from. But I do support this measure, and I would like to leave that at that, because at 2:59, well, but thank you, 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. 1850, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 30 ayes to 19 noes, with Representatives Kobayashi and Pouha voting aye with reservations, with Representatives Aquino, Brower, Cachola, Cullen, Kawakami, Keohokalole, Kong, Lee, LoPresti, Lowen, Matsumoto, McDermott, Rhoads, Say, Thielen, Tokioka, Tupola, Ward and Yamane voting no, and with Representatives Ing and Souki being excused.

#### Conf. Com. Rep. No. 173-16 and H.B. No. 2707, HD 1, SD 2, CD 1:

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2707, HD 1, SD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, just need a ruling on a potential conflict of interest. My campaign chair, he's a member of a *hui* that bid on one of the eight dispensary licenses. Thank you," and the Chair ruled, "no conflict."

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

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

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

Representative Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in strong opposition to House Bill No. 2707, House Draft 1, Senate Draft 2, Conference Draft 1. My position in relation to the State's newly implemented medical marijuana dispensary system and its corresponding regulatory scheme has been made clear and comprehensively documented in this legislature's Session Laws, House Journals, and a vast number of other media during the 2015 calendar year. In particular, I incorporate by reference my remarks made during the 2015 Regular Legislative Session on House Bill 321, on the following session days and pages of the 2015 House Journal:

- Day 19, House Journal, Regular Session of 2015, pages 250 to 252
- Day 25, House Journal, Regular Session of 2015, pages 362 to 367
- Day 60, House Journal, Regular Session of 2015, pages 725 to 730

"In short, it is beyond reason that this body seeks to implement new law via HB 2707, guised and literally coined by Members as a 'clarification' bill, before the full implementation of Hawaii's Medical Marijuana Dispensary Law, Act 241, Session Laws of Hawaii 2015, has been implemented and applied. The detrimental ramifications inherent in HB 2707, HD 1, SD 2, CD 1 are numerous and obvious. Let's fix, or rather – not fix, this while we can.

"The first of many foreseeable problems has recently come to light. The Department of Health, charged with the duty of selecting the eight dispensary licensees allowed pursuant to Act 241, recently released the names of the selected applicants on April 29, 2016. This release was made a week late and in violation of its own statutory mandate to name the selected licensees by April 15, 2016. This not only indicates that the Department of Health (DOH) is not equipped to handle the magnitude of this industry – but also serves as a warning and scary precedent of matters to come. If we can't abide by our own self-imposed guidelines to date, why on earth are we seeking to implement new law?

"As a preliminary matter, it should be noted that the reason given for the DOH's delay was completion of background checks as mandated by the current law; which is information codified to be submitted to the Department during the application process. Not even a week after the dispensary licensees were named, it reported that the sole selectee for the island of Kauai was experiencing legal problems, specifically facing civil charges alleging theft of \$375,000.00 from a business partner. Said charges were said to be filed in February of this year – making it clear that had due diligence been operated – said information would have been easily and readily discoverable.

"Although there is no indication that parallel or related criminal charges are pending against that individual, it does raise concerns threefold:

- (1) Whether the utilized procedures clearly establish the DOH due diligence in performing background checks;

- (2) Whether the capital requirement by the State has been met (i.e., a proven \$1.2 million in financial backing); and
- (3) Whether the lack of any character or fitness element in awarding a coveted license in a multi-million dollar groundbreaking medical marijuana industry.

"The public is not yet privy to the selection process or grading that the Department of Health utilized in its recent decision; however, it is not hard to foresee the issues that those not awarded a license may validly raise, especially in light of House Bill No. 2707, House Draft 1, Senate Draft 2, Conference Draft 1. First, this bill drastically changes an applicants' justifiable reliance in established law.

"For instance, this new draft seeks to insert a new definition of 'enclosed indoor facility.' Contrary to the current law, this definition means:

*[A] permanent, stationary structure with a solid floor, rigid exterior walls that encircle the entire structure on all sides, and a roof that protects the entire interior area from any exterior view and elements of weather; provided that the roof of an enclosed indoor facility utilized as a production center pursuant to a medical marijuana dispensary license application or license renewal application submitted after January 29, 2016, may be partially or completely transparent or translucent.*

"What is known is that the existing applicants have more than likely invested substantial money, resources and time into consultants, business plans, lawyers, building and manufacturing agendas in order to comply with the existing law – only now to have it morphed into an almost unrecognizable version, which will unfairly contradict the rules that they were originally and they are still required to follow.

"It is not in the best interest of the fledgling industry or basic fair play to change 'the rules' mid-game. Just because the Legislature chose to push the envelope and rush into the opening of medical marijuana dispensaries based on an insecure foundation upon unproven sets of rules and regulations, we should not now come in and change the process. And, the substantive law and rules to follow. To be clear, House Bill No. 2707, House Draft 1, Senate Draft 2, Conference Draft 1, is not a 'clarification' or housekeeping measure. It is a complete overhaul with substantial impact.

"As this bill maneuvered through the legislative process this session, our committees made some good decisions. For example, an attempt to make marijuana cigarettes an allowable marijuana product was stricken. Further, a medical marijuana advisory commission was quashed. Both are good policy calls. However, as written now, and pursuant to part IV, there is established a 'legislative oversight working group to develop and recommend legislation to improve the medical marijuana dispensary system in the State.' This approach has already been taken.

"Pursuant to House Concurrent Resolution 48, Regular Session of 2014, a Medical Marijuana Dispensary System Task Force was established in the public policy center in the College of Social Sciences at the University of Hawaii at Manoa to develop 'recommendations for the establishment of a regulated statewide dispensary system for medical marijuana to provide safe and legal access to medical marijuana for qualified patients.' The task force included a panel of predominantly pro-medical marijuana individuals, which inevitably resulted in biased opinions, reports, and recommendations skewed toward the industry. What was lacking was an objective stance in approaching the establishment of a robust, highly regulated, and safe industry. Further, the working group's ineffectiveness is apparent in the submission of House Bill No. 2707, alone.

"A close look at the currently proposed working group shows an almost identical attempt to re-establish the same approach taken in 2014. However, the working group under House Bill No. 2707, House Draft 1, Senate Draft 2, Conference Draft 1 includes additional individuals with biased and self-serving motives, including an advanced nurse practitioner participating in Hawaii's medical marijuana program, two representatives from the Hawaii Dispensary Alliance, two representatives of the medical marijuana dispensary industry, and one representative from a laboratory capable of testing marijuana or marijuana-manufactured products. In

effect, we are including only those that will seek to advance the industry and unfortunately those whose views may be less than objective, which is required to seriously address the best interests, safety, and public welfare. If that is what the Legislature seeks to do – then it should act accordingly.

"The bill contains numerous flaws and opens up countless avenues for attack and harm to the State and its residents. It bears my repeating – we have had the great advantage and opportunity to establish one of the best medical marijuana systems in the country; we must stop trying to come in mid-stream and make changes to a statutory scheme that we have not even had the opportunity to see play out. It is irresponsible and does nothing to protect the general public. For these reasons, I urge my fellow colleagues to oppose this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2707, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Final Reading by a vote of 36 ayes to 12 noes, with Representatives Cachola and Jordan voting aye with reservations, with Representatives Choy, Fukumoto Chang, Har, Kong, Matsumoto, McDermott, Oshiro, Pouha, Say, Tokioka, Tupola and Ward voting no, and with Representatives Ing, Kawakami and Souki being excused.

At 2:41 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2569, HD 2, SD 1, CD 1  
 H.B. No. 1902, HD 2, SD 1, CD 1  
 H.B. No. 2156, HD 2, SD 2, CD 1  
 H.B. No. 260, HD 1, SD 1, CD 1  
 S.B. No. 2384, SD 1, HD 1, CD 1  
 S.B. No. 2888, SD 2, HD 2, CD 1  
 S.B. No. 2196, SD 2, HD 1, CD 1  
 S.B. No. 2618, SD 1, HD 2, CD 1  
 H.B. No. 1753, HD 3, SD 2, CD 1  
 H.B. No. 2722, HD 1, SD 1, CD 1  
 H.B. No. 2008, HD 2, SD 2, CD 1  
 H.B. No. 2715, HD 2, SD 1, CD 1  
 H.B. No. 1370, HD 1, SD 2, CD 1  
 H.B. No. 2353, HD 2, SD 2, CD 1  
 H.B. No. 2009, HD 1, SD 1, CD 1  
 H.B. No. 1527, HD 1, SD 1, CD 1  
 H.B. No. 1850, HD 1, SD 3, CD 1  
 H.B. No. 2707, HD 1, SD 2, CD 1

#### LATE INTRODUCTIONS

The following late introduction was made to the Members of the House:

Representative Lowen introduced Bill Bugbee, Director, Program Committee, Community Enterprises; and her Office Manager, Jade McMillen.

At 2:41 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:49 o'clock p.m.

#### UNFINISHED BUSINESS

##### S.C.R. No. 70, SD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, S.C.R. No. 70, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE A STATUS UPDATE ON THE IMPLEMENTATION OF HAWAII'S NEW VOTER REGISTRATION SYSTEM," was adopted, with Representatives Hashem, Ing, Kawakami, Souki and Woodson being excused.

**FINAL READING**

At this time, the Chair stated:

"Members, please note that House Bill Number 799, House Draft 1, Senate Draft 1, will be deferred one legislative day."

**H.B. No. 799, HD 2, SD 1:**

By unanimous consent, action was deferred one legislative day.

Representative Saiki moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Hashem, Ing, Kawakami and Souki were excused.)

H.B. No. 545, HD 1, (SD 2)  
 H.B. No. 1029, HD 1, (SD 1)  
 H.B. No. 1055, HD 2, (SD 1)  
 H.B. No. 1096, HD 2, (SD 1)  
 H.B. No. 1170, HD 2, (SD 2)  
 H.B. No. 1733, HD 2, (SD 2)  
 H.B. No. 1736, HD 1, (SD 2)  
 H.B. No. 1894, HD 1, (SD 1)  
 H.B. No. 1982, (SD 1)  
 H.B. No. 2033, HD 1, (SD 1)  
 H.B. No. 2059, HD 2, (SD 1)  
 H.B. No. 2060, HD 1, (SD 2)  
 H.B. No. 2198, HD 2, (SD 1)  
 H.B. No. 2308, HD 1, (SD 1)  
 H.B. No. 2319, HD 1, (SD 1)  
 H.B. No. 2326, HD 1, (SD 1)  
 H.B. No. 2403, HD 1, (SD 1)  
 H.B. No. 2593, HD 1, (SD 1)  
 H.B. No. 2669, HD 1, (SD 1)  
 H.B. No. 2680, HD 2, (SD 1)  
 H.B. No. 2681, HD 2, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for the appropriate measures had been received which indicated that the requisite number of House conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measures to the floor for final disposition.

**H.B. No. 545, HD 1, SD 2:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 545, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Choy, Yamane, Jordan and Ichiyama). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 545, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FUNDS," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 1029, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1029, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Yamane, Cullen, Lee and Matsumoto). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1029, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENDANGERED SPECIES RECOVERY COMMITTEE," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 1055, HD 2, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1055, HD 2, on the following showing of Ayes and Noes:

Ayes, 3 (Rhoads, Lowen and McDermott). Noes, none. Excused, 1 (Woodson).

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1055, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATED TO ELECTIONS," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 1096, HD 2, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1096, HD 2, on the following showing of Ayes and Noes:

Ayes, 3 (McKelvey, Cachola and Fukumoto Chang). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1096, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SECURE AND FAIR ENFORCEMENT FOR MORTGAGE LICENSING ACT," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 1170, HD 2, SD 2:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1170, HD 2, on the following showing of Ayes and Noes:

Ayes, 4 (Yamane, Rhoads, San Buenaventura and Pouha). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1170, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND RESOURCES," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 1733, HD 2, SD 2:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1733, HD 2, on the following showing of Ayes and Noes:

Ayes, 4 (Yamane, McKelvey, Woodson and Pouha). Noes, none. Excused, none.

Representative Saiki moved that H.B. No. 1733, HD 2, SD 2 pass Final Reading, seconded by Representative Evans.

Representative Jordan 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 H.B. No. 1733, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT FACILITIES," passed Final Reading by a vote of 50 ayes, with Representative Jordan voting aye with reservations, and with Representative Souki being excused.

**H.B. No. 1736, HD 1, SD 2:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1736, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Aquino, Lowen, Nakashima and Tupola). Noes, none. Excused, none.

Representative Saiki moved that H.B. No. 1736, HD 1, SD 2 pass Final Reading, seconded by Representative Evans.

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

"Mr. Speaker, in strong support. The late astronaut Ellison Onizuka has his ancestral home in Fukuoka, Japan, and I've had the privilege of visiting that location where there is an Ellison Onizuka memorial bridge. Thank you."

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

"Thank you, Mr. Speaker. In strong support and request to insert comments in the Journal."

Representative Lowen's written remarks are as follows:

"Thank you, Mr. Speaker. I strongly support this measure to honor the name of Ellison Onizuka at the Kona International Airport at Keahole. Ellison Shoji Onizuka was born in Kealakekua in 1946, and was a graduate of Konawaena High School in South Kona. He went on to earn a Master's degree in aerospace engineering and then served in the United States Air Force until being selected by NASA in 1978 for the astronaut training program.

"On January 24, 1985, Ellison made history by becoming the first Asian-American, the first Japanese-American, and the first person from Hawaii in space on the space shuttle Discovery. He brought a piece of home with him, in the form of some freeze-dried Kona coffee. In January of the following year, 1986, Ellison embarked on his second spaceflight on the space shuttle Challenger. Tragically, he perished in this mission at the age of 39 along with the other astronauts on board.

"During his too-short time on earth, Ellison inspired many kids in Hawaii, especially on the Big Island in his home district of South Kona. It was important to him to be a role model for children in Hawaii and to encourage them to invest in their education and pursue their dreams. In 1980, he delivered the following remarks at the Konawaena High School graduation:

*If I can impress upon you only one idea . . . Let it be that the people who make this world run, whose lives can be termed successful, whose names will go down in the history books, are not the cynics, the critics, or the armchair quarterbacks.*

*They are the adventurers, the explorers, and doers of this world. When they see a wrong or problem, they do something about it. When they see a vacant place in our knowledge, they work to fill that void.*

*Rather than leaning back and criticizing how things are, they work to make things the way they should be. They are the aggressive, the self-starters, the innovative, and the imaginative of this world.*

*Every generation has the obligation to free men's minds for a look at new worlds . . . to look out from a higher plateau than the last generation.*

*Your vision is not limited by what your eye can see, but by what your mind can imagine. Many things that you take for granted were considered unrealistic dreams by previous generations. If you accept these past accomplishments as commonplace then think of the new horizons that you can explore.*

*From your vantage point, your education and imagination will carry you to places which we won't believe possible.*

*Make your life count – and the world will be a better place because you tried.*

"This year, 2016, marks the 30th anniversary of Ellison Onizuka's death in the Challenger Disaster, and 30 years since Hawaii Island and the entire state lost a local hero. His legacy lives on in the many youth he has inspired, not just in Hawaii, but throughout the nation and around the world. It is with pleasure that I vote 'aye' on this bill, which will honor his memory at the Kona Airport, a place where visitors and locals alike will be reminded daily of Ellison Onizuka's distinguished legacy and honorable life."

The motion was put to vote by the Chair and carried, and H.B. No. 1736, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE KONA INTERNATIONAL AIRPORT," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Creagan voting no, and with Representative Souki being excused.

**H.B. No. 1894, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1894, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (Choy, LoPresti and Matsumoto). Noes, none. Excused, 1 (Ito).

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1894, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 1982, SD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1982, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST BIG ISLAND DAIRY, LLC," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2033, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2033, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (Yamane, Cullen and Pouha). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2033, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMISSION ON WATER RESOURCE MANAGEMENT," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2059, HD 2, SD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2059, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KEHALANI OFFSITE RETENTION BASIN," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2060, HD 1, SD 2:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2060, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (Kawakami, Johanson and Ward). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2060, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2198, HD 2, SD 1:**

Representative Saiki moved that H.B. No. 2198, HD 2, SD 1 pass Final Reading, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and H.B. No. 2198, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR UKUMEHAME RESERVOIRS," passed Final Reading by a vote of 49 ayes to 1 no, with Representative McKelvey voting no, and with Representative Souki being excused.

**H.B. No. 2308, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2308, HD 1, on the following showing of Ayes and Noes:

Ayes, 2 (Nakashima and Luke). Noes, none. Excused, 1 (Tupola).

Representative Saiki moved that H.B. No. 2308, HD 1, SD 1 pass Final Reading, seconded by Representative Evans.

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

"Ruling on a potential conflict. My husband is a firefighter. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 2308, HD 1, SD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2319, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2319, HD 1, on the following showing of Ayes and Noes:

Ayes, 3 (McKelvey, Cachola and Fukumoto Chang). Noes, none. Excused, 1 (Oshiro).

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2319, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2326, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2326, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (McKelvey, Cachola, Brower and Fukumoto Chang). Noes, none. Excused, none.

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2326, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE RESCUE FRAUD," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2403, HD 1, SD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2403, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MEDICAL ADVISORY BOARD," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2593, HD 1, SD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2593, HD 1, SD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR HAWAII RENEWABLE RESOURCES, LLC," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2669, HD 1, SD 1:**

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2669, HD 1, on the following showing of Ayes and Noes:

Ayes, 4 (Kawakami, DeCoite, Kong and Ward). Noes, none. Excused, none.

Representative Saiki moved that H.B. No. 2669, HD 1, SD 1 pass Final Reading, seconded by Representative Evans.

Representative Ward rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"I rise in strong support of HB 2669 which offers bonds for TruTag Technologies.

"TruTag perfectly exemplifies the type of innovative entrepreneurialism that I have been urging this legislature to support for decades. This SPRB is a middle-class grower bill, not a middle-class killer bill. TruTag is like a unicorn in the Legislature—a rarity where a company both grows businesses, provides groundbreaking technology, and protects our state's residents.

"Counterfeiting and diverted goods is a trillion-dollar global problem. That's 'trillion' with a 'T'. We need to keep our small businesses and innovators safe by providing the kinds of tracking that TruTag provides. We are an island state in the middle of the ocean susceptible to all fronts of attack—physical, economic, social, and technological. It is our duty as a body to support creative solutions to the ever present security breaches and concerns.

"This SPRB allows Hawaii to finally be on the cutting edge of security, innovation, and technology. We have missed too many opportunities to help small businesses and the local economy by alienating these burgeoning industries.



"We are finally doing the right thing for the right companies in the right sectors.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 2669, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST TRUTAG TECHNOLOGIES, INC.," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2680, HD 2, SD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2680, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR KALOKO RESERVOIR," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

**H.B. No. 2681, HD 2, SD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 2681, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR WAILUKU RESERVOIR #6," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

At 2:56 o'clock p.m., Representative Keohokalole requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:56 o'clock p.m.

At 2:58 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 545, HD 1, SD 2  
 H.B. No. 1029, HD 1, SD 1  
 H.B. No. 1055, HD 2, SD 1  
 H.B. No. 1096, HD 2, SD 1  
 H.B. No. 1170, HD 2, SD 2  
 H.B. No. 1733, HD 2, SD 2  
 H.B. No. 1736, HD 1, SD 2  
 H.B. No. 1894, HD 1, SD 1  
 H.B. No. 1982, SD 1  
 H.B. No. 2033, HD 1, SD 1  
 H.B. No. 2059, HD 2, SD 1  
 H.B. No. 2060, HD 1, SD 2  
 H.B. No. 2198, HD 2, SD 1  
 H.B. No. 2308, HD 1, SD 1  
 H.B. No. 2319, HD 1, SD 1  
 H.B. No. 2326, HD 1, SD 1  
 H.B. No. 2403, HD 1, SD 1  
 H.B. No. 2593, HD 1, SD 1  
 H.B. No. 2669, HD 1, SD 1  
 H.B. No. 2680, HD 2, SD 1  
 H.B. No. 2681, HD 2, SD 1

**SUSPENSION OF RULES**

On motion by Representative Saiki, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representative Souki was excused.)

**RECONSIDERATION OF ACTION TAKEN**

Representative Saiki moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following

House Bills, seconded by Representative Evans and carried: (Representative Souki was excused.)

H.B. No. 1654, HD 1, (SD 2)  
 H.B. No. 1669, HD 2, (SD 1)  
 H.B. No. 1853, HD 2, (SD 1)  
 H.B. No. 2086, HD 2, (SD 2)  
 H.B. No. 2543, HD 2, (SD 1)

At 3:00 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:01 o'clock p.m.

**END OF CALENDAR**

**Conf. Com. Rep. No. 12-16 and S.B. No. 2788, HD 1, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2788, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MOLOKAI IRRIGATION SYSTEM WATER USERS ADVISORY BOARD," passed Final Reading by a vote of 49 ayes, with Representatives Cachola and Souki being excused.

At 3:02 o'clock p.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 2788, HD 1, CD 1

**Conf. Com. Rep. No. 71-16 and S.B. No. 2217, SD 2, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2217, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Strong support."

Representative Tokioka rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"Thank you, Mr. Speaker, for allowing me to insert written remarks in support of SB 2217 that appropriates funds for operation, repair, maintenance, and improvement costs for the East Kauai Irrigation System by the East Kauai Water Users' Cooperative. I would like to thank Jerry Ornellas and members of the Kauai Hindu Monastery for all of their volunteer work. The \$75,000 a year to maintain this reliable irrigation system is a minimal amount compared to the cost it would take for the State to take over this system. It is my hope that we can find a reliable funding source so that East Kauai sewer and water are not having to come to us every year asking for a sum of money when in reality they are saving the State a great deal."

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

"Thank you, Mr. Speaker. Strong support. Reliable irrigation systems, that is the importance of this legislation. This will help many small farmers with access to irrigation water, because we all know how hard it is for farmers to survive. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2217, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

At 3:03 o'clock p.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 2217, SD 2, HD 1, CD 1

**Conf. Com. Rep. No. 88-16 and S.B. No. 2659, SD 2, HD 1, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2659, SD 2, HD 1, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just very brief remarks and may I have permission to insert additional remarks in the Journal? Thank you. Well, hemp hemp hurray! Here is just another product that we have. Anyone that wants a sip, come on over and I will give you one. Very healthy, a hemp drink instead of a replacement for milk. It's a wonderful day. This is going to save jobs on Maui, this is going to create jobs, it's an entrepreneur's dream, because there are 25,000 uses and products for this crop. None of them will get you high. And I wanted to thank the Chair and Vice Chair of Agriculture for their support. I think this is a wonderful step forward, and I believe Hawaii will be the leader in the nation, if not the world, with industrial hemp and seed production. So, hemp hemp hurray, and *mahalo* to all of you."

Representative Thielen's written remarks are as follows:

"I speak in strong support of SB 2659 which would establish an industrial hemp program to allow its cultivation and the distribution of its seed by licensed farmers under the auspices of the Department of Agriculture.

"After more than 20 years of advocating for this agricultural crop with 25,000 uses and products, the message has resounded: Industrial hemp has no power to get anyone high, and its byproducts like paper, clothing and low-cost hempcrete for construction create entrepreneurial growth.

"In 2016, the timing of this bill's passage is most relevant to help make up ground for the demise of Maui's sugarcane crops just weeks away and to provide hundreds of the 700-plus otherwise unemployed sugar workers with a viable crop to farm with a minimal transition phase and loss of income.

"A trace of fear about this agricultural crop still exists, unfortunately, and local farmers will have to go through unprecedented and costly measures to grow and secure a crop that is as benign as a cornfield: Install locks, build fences and create borders. Are we cultivating a harmless plant or building a prison? These shackles are better suited for bills that allow the spraying of poisonous pesticides near our schools.

"In passing this hemp bill, Hawaii will join more than 30 countries, and Kentucky, Colorado, Vermont, Tennessee and Oregon, which cultivate hemp. Hemp products are an estimated \$620 million-a-year-and-growing retail business in the U.S., with much of it presently sourced from China and Canada. SB 2659 will change that and put Hawai'i in the lead with industrial hemp.

"And lastly and most importantly, I would like to recognize the Chair of Finance and thank her for her strong support of this historical piece of legislation."

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

"Mr. Speaker, in strong support and I'd like to adopt the words of the great Representative from the windward side. I also want to note that, let this be an example across the nation with all division of legislators crossing party lines, generation gaps, and coming together for a common cause that will help the people of their state. Thank you," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. Strong support. Mr. Speaker, if hemp can be shown to clean our soil, then I welcome it on Kauai. Thank you."

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

"Thank you, Mr. Speaker. In strong support. I only comment because I was not able to attend the conference committee that voted on this and I wasn't present. So I really, really want to express my very strong support for this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2659, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

At 3:07 o'clock p.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 2659, SD 2, HD 1, CD 1

**Conf. Com. Rep. No. 136-16 and H.B. No. 2247, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 2247, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL TRAVEL," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

At 3:08 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2247, HD 1, SD 2, CD 1

**Conf. Com. Rep. No. 157-16 and S.B. No. 2131, SD 2, HD 2, CD 1:**

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 2131, SD 2, HD 2, CD 1 pass Final Reading, seconded by Representative Evans.

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

"Strong support."

Representative Tokioka rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"Thank you to Senate President Kouchi for introducing this bill. I want to also thank the Kauai delegation for their patience and perseverance on the passage of this bill that will be a tax relief of \$2 million a year for electric repairs on Kauai for Kauai Island Utility Cooperative members."

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

"Thank you, Mr. Speaker. Strong support. Kauai is very dependent on this measure, because it's use of naphtha is for the generation of electricity and not a fuel tax for highway construction and maintenance. Our electric cooperative is member-owned and not-for-profit. If not for this initiative, Kauai's ratepayers will have an additional \$4.4 million tax expense, raising the average residential electric bill by 7%. Therefore, Mr. Speaker, I would like to personally thank my colleagues for supporting Kauai. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2131, SD 2, HD 2, CD 1,

entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 50 ayes, with Representative Souki being excused.

At 3:09 o'clock p.m., the Chair noted that the following bill passed Final Reading:

S.B. No. 2131, SD 2, HD 2, CD 1

At 3:10 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:14 o'clock p.m.

#### **Conf. Com. Rep. No. 172-16 and H.B. No. 1072, HD 1, SD 2, CD 1:**

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee and H.B. No. 1072, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR CERTAIN PSYCHOLOGISTS," were recommitted to the Committee on Conference, with Representative Souki being excused.

### **ANNOUNCEMENTS**

Representative Choy: "Thank you, Mr. Speaker. I mentioned this yesterday in caucus, but for those who missed caucus and for the Minority Caucus, I'd like to announce that one of our colleagues won the Outstanding Woman Lawyer Award for the Hawaii Women Lawyers Association. I think it's a great award, it was given to her for her work on HB 2772, Title IX sexual assault. I wish we could all give her a congratulations and a big hand for Representative Ichiyama."

Representative Morikawa: "Thank you, Mr. Speaker. It's now 3:16 p.m., so someone's going to be happy, someone's going to be mad, but I'm going to do this anyway. *Happy Birthday to you, happy birthday to you, happy birthday Representative Onishi, happy birthday to you.* Thank you."

Representative Takumi: "Mr. Speaker, would I be called out of order if I made an announcement for one hour and thirteen minutes? Okay, thank you."

Representative Ward: "Mr. Speaker, for those of us who are farmers, or independent lawyers, or supermarket owners, or taxi cab drivers, or entrepreneurs, consultants, happy small business week, that is this week."

### **LATE INTRODUCTIONS**

The following late introduction was made to the Members of the House:

Representative Creagan introduced Ms. Stefanie Sakamoto, daughter of Mike Sakamoto of Fishing Tales from the Big Island.

At 3:17 o'clock p.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:18 o'clock p.m.

### **ADJOURNMENT**

At 3:19 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 Thursday, May 5, 2016. (Representatives Ito, Oshiro and Say were excused.)

### **HOUSE COMMUNICATIONS**

House Communication dated May 3, 2016, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President

and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 7, 2016, and gives its notice of intent to agree to the following House Bill:

H.B. No. 2543, HD 2, SD 1

House Communication dated May 3, 2016, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 8, 2016, and gives its notice of intent to agree to the following House Bill:

H.B. No. 1669, HD 2, SD 1

House Communication dated May 3, 2016, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 14, 2016, and gives its notice of intent to agree to the following House Bills:

H.B. No. 1654, HD 1, SD 2

H.B. No. 1853, HD 2, SD 1

H.B. No. 2086, HD 2, SD 2

House Communication dated May 3, 2016, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 545, HD 1, SD 2

H.B. No. 1029, HD 1, SD 1

H.B. No. 1055, HD 2, SD 1

H.B. No. 1096, HD 2, SD 1

H.B. No. 1170, HD 2, SD 2

H.B. No. 1733, HD 2, SD 2

H.B. No. 1736, HD 1, SD 2

H.B. No. 1894, HD 1, SD 1

H.B. No. 1982, SD 1

H.B. No. 2033, HD 1, SD 1

H.B. No. 2059, HD 2, SD 1

H.B. No. 2060, HD 1, SD 2

H.B. No. 2198, HD 2, SD 1

H.B. No. 2308, HD 1, SD 1

H.B. No. 2319, HD 1, SD 1

H.B. No. 2326, HD 1, SD 1

H.B. No. 2403, HD 1, SD 1

H.B. No. 2593, HD 1, SD 1

H.B. No. 2669, HD 1, SD 1

H.B. No. 2680, HD 2, SD 1

H.B. No. 2681, HD 2, SD 1

House Communication dated May 3, 2016, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bill on Final Reading:

H.B. No. 1700, HD 1, SD 1, CD 1

House Communication dated May 3, 2016, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day passed the following bills on Final Reading:

H.B. No. 254, HD 2, SD 1, CD 1

H.B. No. 260, HD 1, SD 1, CD 1

H.B. No. 801, HD 1, SD 2, CD 1

H.B. No. 900, HD 2, SD 1, CD 1

H.B. No. 901, SD 1, CD 1

H.B. No. 1011, HD 1, SD 2, CD 1

H.B. No. 1041, HD 2, SD 2, CD 1  
 H.B. No. 1046, HD 2, SD 2, CD 1  
 H.B. No. 1050, SD 2, CD 1  
 H.B. No. 1111, HD 2, SD 1, CD 1  
 H.B. No. 1370, HD 1, SD 2, CD 1  
 H.B. No. 1517, HD 1, SD 1, CD 1  
 H.B. No. 1527, HD 1, SD 1, CD 1  
 H.B. No. 1543, SD 1, CD 1  
 H.B. No. 1561, SD 1, CD 1  
 H.B. No. 1578, HD 2, SD 1, CD 1  
 H.B. No. 1581, HD 2, SD 2, CD 1  
 H.B. No. 1608, HD 1, SD 1, CD 1  
 H.B. No. 1668, SD 1, CD 1  
 H.B. No. 1684, HD 2, SD 1, CD 1  
 H.B. No. 1689, HD 2, SD 2, CD 1  
 H.B. No. 1702, HD 1, SD 1, CD 1  
 H.B. No. 1726, SD 1, CD 1  
 H.B. No. 1739, HD 2, SD 1, CD 1  
 H.B. No. 1747, HD 1, SD 1, CD 1  
 H.B. No. 1749, HD 1, SD 2, CD 1  
 H.B. No. 1752, HD 1, SD 1, CD 1  
 H.B. No. 1753, HD 3, SD 2, CD 1  
 H.B. No. 1756, HD 3, SD 2, CD 1  
 H.B. No. 1807, HD 2, SD 1, CD 1  
 H.B. No. 1814, HD 1, SD 1, CD 1  
 H.B. No. 1850, HD 1, SD 3, CD 1  
 H.B. No. 1852, HD 1, SD 1, CD 1  
 H.B. No. 1878, HD 1, SD 2, CD 1  
 H.B. No. 1897, HD 1, SD 1, CD 1  
 H.B. No. 1902, HD 2, SD 1, CD 1  
 H.B. No. 1907, HD 2, SD 2, CD 1  
 H.B. No. 1943, HD 1, SD 1, CD 1  
 H.B. No. 1997, SD 1, CD 1  
 H.B. No. 1999, HD 1, SD 2, CD 1  
 H.B. No. 2008, HD 2, SD 2, CD 1  
 H.B. No. 2009, HD 1, SD 1, CD 1  
 H.B. No. 2016, HD 1, SD 1, CD 1  
 H.B. No. 2017, HD 1, SD 2, CD 1  
 H.B. No. 2018, HD 1, SD 1, CD 1  
 H.B. No. 2029, HD 1, SD 2, CD 1  
 H.B. No. 2030, HD 1, SD 2, CD 1  
 H.B. No. 2034, HD 1, SD 2, CD 1  
 H.B. No. 2036, HD 1, SD 2, CD 1  
 H.B. No. 2037, HD 1, SD 2, CD 1  
 H.B. No. 2040, SD 1, CD 1  
 H.B. No. 2049, HD 2, SD 2, CD 1  
 H.B. No. 2077, HD 2, SD 2, CD 1  
 H.B. No. 2090, HD 2, SD 2, CD 1  
 H.B. No. 2093, HD 1, SD 2, CD 1  
 H.B. No. 2121, HD 3, SD 2, CD 1  
 H.B. No. 2156, HD 2, SD 2, CD 1  
 H.B. No. 2205, HD 1, SD 2, CD 1  
 H.B. No. 2231, HD 1, SD 1, CD 1  
 H.B. No. 2233, HD 2, SD 1, CD 1  
 H.B. No. 2247, HD 1, SD 2, CD 1  
 H.B. No. 2252, HD 1, SD 2, CD 1  
 H.B. No. 2267, HD 1, SD 1, CD 1  
 H.B. No. 2277, HD 1, SD 1, CD 1  
 H.B. No. 2279, HD 2, SD 2, CD 1  
 H.B. No. 2305, HD 1, SD 1, CD 1  
 H.B. No. 2317, HD 1, SD 1, CD 1  
 H.B. No. 2340, HD 1, SD 2, CD 1  
 H.B. No. 2353, HD 2, SD 2, CD 1  
 H.B. No. 2363, HD 1, SD 1, CD 1  
 H.B. No. 2389, HD 1, SD 1, CD 1  
 H.B. No. 2391, HD 2, SD 2, CD 1  
 H.B. No. 2482, HD 2, SD 1, CD 1  
 H.B. No. 2489, SD 1, CD 1  
 H.B. No. 2559, HD 1, SD 2, CD 1  
 H.B. No. 2561, HD 1, SD 1, CD 1  
 H.B. No. 2569, HD 2, SD 1, CD 1  
 H.B. No. 2582, HD 1, SD 1, CD 1  
 H.B. No. 2604, HD 1, SD 1, CD 1  
 H.B. No. 2605, HD 1, SD 2, CD 1  
 H.B. No. 2626, HD 1, SD 2, CD 1  
 H.B. No. 2632, HD 2, SD 2, CD 1  
 H.B. No. 2646, HD 2, SD 2, CD 1  
 H.B. No. 2657, HD 2, SD 2, CD 1  
 H.B. No. 2671, HD 2, SD 2, CD 1  
 H.B. No. 2675, HD 1, SD 2, CD 1  
 H.B. No. 2707, HD 1, SD 2, CD 1  
 H.B. No. 2715, HD 2, SD 1, CD 1  
 H.B. No. 2722, HD 1, SD 1, CD 1  
 H.B. No. 2772, HD 1, SD 2, CD 1  
 S.B. No. 911, SD 2, HD 2, CD 1  
 S.B. No. 1311, SD 2, HD 1, CD 1  
 S.B. No. 2076, SD 2, HD 1, CD 1  
 S.B. No. 2106, HD 1, CD 1  
 S.B. No. 2108, HD 1, CD 1  
 S.B. No. 2131, SD 2, HD 2, CD 1  
 S.B. No. 2196, SD 2, HD 1, CD 1  
 S.B. No. 2213, SD 2, HD 1, CD 1  
 S.B. No. 2217, SD 2, HD 1, CD 1  
 S.B. No. 2289, SD 1, HD 1, CD 1  
 S.B. No. 2298, SD 1, HD 1, CD 1  
 S.B. No. 2317, SD 2, HD 1, CD 1  
 S.B. No. 2319, SD 1, HD 3, CD 1  
 S.B. No. 2330, SD 2, HD 2, CD 1  
 S.B. No. 2375, SD 1, HD 1, CD 1  
 S.B. No. 2384, SD 1, HD 1, CD 1  
 S.B. No. 2387, SD 2, HD 1, CD 1  
 S.B. No. 2392, SD 2, HD 3, CD 1  
 S.B. No. 2408, SD 1, HD 2, CD 1  
 S.B. No. 2439, SD 1, HD 1, CD 1  
 S.B. No. 2453, HD 1, CD 1  
 S.B. No. 2476, SD 2, HD 2, CD 1  
 S.B. No. 2512, SD 1, HD 2, CD 1  
 S.B. No. 2542, SD 2, HD 1, CD 1  
 S.B. No. 2547, SD 1, HD 1, CD 1  
 S.B. No. 2550, HD 1, CD 1  
 S.B. No. 2551, HD 1, CD 1  
 S.B. No. 2555, HD 1, CD 1  
 S.B. No. 2557, SD 2, HD 1, CD 1  
 S.B. No. 2559, SD 1, HD 1, CD 1  
 S.B. No. 2560, SD 2, HD 1, CD 1  
 S.B. No. 2561, SD 2, HD 1, CD 1  
 S.B. No. 2566, SD 1, HD 1, CD 1  
 S.B. No. 2618, SD 1, HD 2, CD 1  
 S.B. No. 2630, SD 1, HD 1, CD 1  
 S.B. No. 2645, SD 2, HD 1, CD 1  
 S.B. No. 2652, SD 2, HD 2, CD 1  
 S.B. No. 2659, SD 2, HD 1, CD 1  
 S.B. No. 2670, HD 1, CD 1  
 S.B. No. 2671, SD 1, HD 2, CD 1  
 S.B. No. 2672, SD 1, HD 1, CD 1  
 S.B. No. 2673, SD 2, HD 2, CD 1  
 S.B. No. 2680, SD 1, HD 1, CD 1  
 S.B. No. 2723, SD 1, HD 2, CD 1  
 S.B. No. 2731, SD 1, HD 1, CD 1  
 S.B. No. 2788, HD 1, CD 1  
 S.B. No. 2812, SD 2, HD 2, CD 1  
 S.B. No. 2833, SD 2, HD 2, CD 1  
 S.B. No. 2845, HD 1, CD 1  
 S.B. No. 2849, SD 1, HD 1, CD 1  
 S.B. No. 2850, SD 2, HD 1, CD 1  
 S.B. No. 2853, SD 2, HD 1, CD 1  
 S.B. No. 2854, SD 2, HD 1, CD 1  
 S.B. No. 2863, SD 2, HD 1, CD 1  
 S.B. No. 2888, SD 2, HD 2, CD 1  
 S.B. No. 2896, SD 1, HD 2, CD 1  
 S.B. No. 2904, HD 1, CD 1  
 S.B. No. 2910, SD 2, HD 1, CD 1  
 S.B. No. 2915, SD 2, HD 1, CD 1  
 S.B. No. 2922, HD 1, CD 1  
 S.B. No. 2981, SD 1, HD 1, CD 1  
 S.B. No. 2987, SD 2, HD 2, CD 1

S.B. No. 3077, SD 1, HD 1, CD 1  
S.B. No. 3084, SD 1, HD 2, CD 1  
S.B. No. 3102, SD 1, HD 1, CD 1  
S.B. No. 3109, SD 1, HD 1, CD 1  
S.B. No. 3110, SD 1, HD 1, CD 1  
S.B. No. 3126, SD 2, HD 2, CD 1