

FIFTEENTH DAY

Friday, February 10, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 12:08 o'clock p.m., with Speaker Souki presiding.

The invocation was delivered by Kumu Hula Vicky Holt Takamine of Hālau Pua Ali'i 'Ilima, 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 Fourteenth Day was deferred.

INTRODUCTIONS

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

Representative Woodson introduced his wife, Stacy; and their children, Justice Uhane, Janalise Puuwai, Jeven Koa, and Jemery Keahi "Poofy."

ORDER OF THE DAY

REPORTS OF STANDING COMMITTEES

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 166) recommending that H.B. No. 873, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 873, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Evans.

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. 873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABLE LIVING," passed Second Reading and was referred to the Committee on Water & Land, with Representative Lowen voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 167) recommending that H.B. No. 627, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 627, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE PARTNERSHIPS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 168) recommending that H.B. No. 1311, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Education, with Representatives Gates and Ing being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 169) recommending that H.B. No. 256 pass

Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 256 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 256, entitled: "A BILL FOR AN ACT RELATING TO COFFEE LABELING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Har, Holt, McKelvey, Onishi and Tokioka voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 170) recommending that H.B. No. 177, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 177, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict?"

The Chair addressed Representative Ichiyama, stating:

"You're okay on that. May I say that in the future, we don't have to request that. We'll see that you're not in conflict in any condominium legislation."

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

"Thank you, Mr. Speaker. May I also request a ruling on a potential conflict? At my law firm, I represent PCAs as well as AOAAs," and the Chair ruled, "no conflict."

Representative Har continued, stating:

"Thank you. May this apply for the rest of the session, please?"

The Chair addressed Representative Har, stating:

"It shall be noted, you're not in conflict the rest of the session on condominiums."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 177, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Takumi, for the Committee on Education, presented a report (Stand. Com. Rep. No. 171) recommending that H.B. No. 182, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 182, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Ruling on a potential conflict of interest. My wife is a teacher," and the Chair ruled, "no conflict."

Representative LoPresti continued, stating:

"May that stand for the remainder of session?" and the Chair "so ordered."

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

"Mr. Speaker, I'd like to cast a no vote on this, and just a brief comment. I am not yet convinced, but I remain open to the idea. Thank you."

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

"Mr. Speaker, with reservations. This is a good idea. It squirrels away money for education, which we need. Our teachers are underfunded, DOE is underfunded. However, if I was DLNR, I would say, hey, I want to do the same thing. Then, if I was the Department of Human Services, hey, this is a great idea.

"The point, Mr. Speaker, is that this is a slippery slope. It's going to be good for one, but then it's going to create something I think is a problem, and I know the chair of Finance and other WAM individuals who will look at this, probably not as it is intended, just for education, but it's a financial fiscal issue. Thank you, sir."

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. 182, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES VII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY AND VISITOR ACCOMMODATIONS TO INCREASE FUNDING FOR PUBLIC EDUCATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Tupola and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Gates and Ing being excused.

Representatives Creagan and Ing, for the Committee on Agriculture and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 172) recommending that H.B. No. 1342, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1342, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN TRADITIONAL AND CUSTOMARY PRACTICES," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 173) recommending that H.B. No. 1179, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1179, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 174) recommending that H.B. No. 1549, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1549, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCLUSIONARY ZONING," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 175) recommending that H.B. No. 1373, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1373, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVE HOUSING," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 176) recommending that H.B. No. 295, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 295, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 295, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR REQUIREMENTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Thielen voting aye with reservations, and with Representatives Gates and Ing being excused.

Representatives Brower and Aquino, for the Committee on Housing and the Committee on Transportation, presented a report (Stand. Com. Rep. No. 177) recommending that H.B. No. 1000, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1000, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Evans.

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

"Mr. Speaker, no vote until we start raising money from private development rights and raising money in the private sector. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1000, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Water & Land, with Representative Ward voting no, and with Representatives Gates and Ing being excused.

Representative Onishi, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 178) recommending that H.B. No. 830, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 830, HD 1 pass Second Reading and be referred to the Committee on Transportation, seconded by Representative Evans.

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

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

"Mr. Speaker, a no vote. I may have garbled what I said in the last bill, but the same thing applies. Until the private-public sector gets its act together for the transit-oriented development, I think requiring workforce housing, even though it's a good idea, misses the whole point, Mr. Speaker. And I know the new head of HART has said, yeah, we can probably, if required, get some money out of the private sector.

"So, Mr. Speaker, a no vote until we actually end up doing that, and using development rights like they do in Hong Kong, like they do in Japan, like any other place should be doing, like Hawaii. Thank you."

Representative Thielen 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. 830, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOCAL GOVERNMENT," passed Second Reading and was referred to the Committee on Transportation, with Representatives McDermott, Thielen and Ward voting no, and with Representatives Gates and Ing being excused.

Representative Onishi, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 179) recommending that H.B. No. 1470, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1470, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"A no vote, please. Thank you, Mr. Speaker. We need to be very careful of this Airbnb type of legislation. I don't see in this that it requires the hosting platform to make sure that these are legal operations, and I know that a lot of us in this chamber have a lot of the illegal operators taking away housing from local families. So a no vote, and I think we've really got to be careful. Thank you."

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

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

"Mr. Speaker, no vote, brief comment. Mr. Speaker, we heard this in committee, and my conclusion is we're cleaning up the mess of the city & county. They've kicked the can down the line for about two or three decades, there's maybe 110 bed and breakfasts since 1989. We've got 8.6 million tourists. Where are they all going? There's not enough space in the hotels. So this is a black market that's been created out of a lack of understanding response or being afraid to legislate what otherwise is a strong economic need. So, Mr. Speaker, I don't think we should be cleaning up the city & county's mess, so my no vote is for 1470 and 1471, for the next bill. Thank you."

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

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

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

Representative Lee 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1470, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Keohokalole, Lee, LoPresti and Matsumoto voting aye with reservations, with Representatives Quinlan, Thielen, Tupola and Ward voting no, and with Representatives Gates and Ing being excused.

Representative Onishi, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 180) recommending that H.B. No. 1471, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1471, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

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

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

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

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

"Thanks, Mr. Speaker. Here's another one that allows the Airbnb type of operators to register as the tax collecting agents. Then the bill says, at this point, at this point, that it ensures that the subject property is in compliance with applicable land use laws. I don't trust that that requirement's going to stay in the bill.

"I'm not a no to that concept, but I'm a no to being afraid that that provision is going to be eliminated, and what Airbnb will do is simply collect the tax and won't care a whit if these are legal operations. So, with a precautionary principle, I'm a no."

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

"Thank you, Mr. Speaker. In support, and I would like to just reassure the Member that, as to their concerns, that it will stay in the bill in the next committee. I'm just reassuring her that those provisions will remain at least in the Committee on CPC."

Representative Thielen rose, stating:

"I'm going to, based upon my colleague from Maui and his assurance that that will stay in the bill, I'm going to change to a with reservations."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Lee, LoPresti, Matsumoto and Thielen voting aye with

reservations, with Representatives Quinlan, Tupola and Ward voting no, and with Representatives Gates and Ing being excused.

Representatives Takumi and Ohno, for the Committee on Education and the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 181) recommending that H.B. No. 1265, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1265, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Mr. Speaker, I'm going to cast a no vote. I realize this measure has a defective date, Mr. Speaker, but this appears before us year after year, the Department of Education says they don't have money to continue this licensure program. And I see here that the renewal fee will be \$10,000 every two years. Now, just down the street from here is the Maritime Licensing Center, where they train people to be ship's captains, and they're federally certified, certified by the Coast Guard, and these young people who go to get their license can get federal financial aid.

"Now, this \$10,000 will put them out of business. And these are local kids going to get certified to drive ships and boats and tour vessels and things of that nature. It seems to me that \$10,000 every two years is too much. These guys are making just their salary, after they pay for their expenses and overhead, and what happens is we have this bill, and they get all fired up and flustered up and come down, and at the end it dies, because we finally say, okay, that's unreasonable. It's been a *status quo* for a number of years in a certain way, and now we're going to come in and say, because the DOE says it's too much work for us, we're going to charge you \$10,000 every two years.

"So I understand it has a defective date and it will probably be changed some more, but I just want to alert you to the fact that \$10,000 is a lot for a license renewal. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1265, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Gates and Ing being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 182) recommending that H.B. No. 1080, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1080, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORITY TO ADJUST PROFESSIONAL AND VOCATIONAL LICENSING FEES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 183) recommending that H.B. No. 1262, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 184) recommending that H.B. No. 242, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 185) recommending that H.B. No. 1082, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1082, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Gates and Ing being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 186) recommending that H.B. No. 1081, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1081, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 187) recommending that H.B. No. 1515, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1515, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY GUARDS," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Gates and Ing being excused.

Representative Woodson, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 188) recommending that H.B. No. 902, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 902, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Woodson, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 189) recommending that H.B. No. 847, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 847, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII RESEARCH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Woodson, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 190) recommending that H.B. No. 425, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 425, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Onishi 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. 425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY TRANSFER AT THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary, with Representative Onishi voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 191) recommending that H.B. No. 805, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 805, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 192) recommending that H.B. No. 871, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 871, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"I equivocated on this because I understand it addresses the squatter problem which is prevalent in my district. However, I don't believe the author understands the domestic violence implications of this. Being a family law attorney, I have seen owners who will use cutting off of utilities as a means of control, and for those reasons, it's with strong reservations. 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. 871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representative San Buenaventura voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 193) recommending that H.B. No. 1567, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 194) recommending that H.B. No. 957, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 957, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEAT ABATEMENT," passed Second Reading and was referred to the Committee on Education, with Representatives Gates and Ing being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 195) recommending that H.B. No. 35, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 35, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 196) recommending that H.B. No. 649, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 649, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSOCIATION LEGAL FEES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Ito, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 197) recommending that H.B. No. 1526, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1526, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RELIEF FOR STATE MILITARY FORCES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 198) recommending that H.B. No. 1384, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1384, HD 1 pass Second Reading and be referred to the Committee on Housing, 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. 1384, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," passed Second Reading and was referred to the Committee on Housing, with Representative Matsumoto voting no, and with Representatives Gates and Ing being excused.

Representatives Creagan and Lee, for the Committee on Agriculture and the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 199) recommending that H.B. No. 1571, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1571, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Evans.

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

"Mr. Speaker, a no vote for me, with a short comment. This is a bill that has been addressed numerous times in the Legislature. The impact is only

to commercial farmers, and the report from the Department of Agriculture in regards to incidents with schools and students or staff points basically to homeowners, and not commercial agricultural entities. So, with that said, I have to vote no on this issue. Thank you."

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

"Mr. Speaker, with reservations and comments. Mr. Speaker, I want to be clear, I am not against buffer zones, but I want to address the root of the problem. These are my concerns in regards to disclosure and outdoor notification requirements for the application of pesticides.

"I am all for disclosure and notification requirements for any and all pesticides being used around our schools and our residential areas. All pesticides, restricted use, organic and everything. I think these all need to apply when it comes to the health and well-being of our communities and our *keiki*.

"The point of pesticides is to kill its intended target. That is what they are meant to do. We are to protect our communities from pesticide exposure. We all need to be educated to prevent further contamination in our residential areas and evacuations of our schools.

"While this bill targets large-scale agriculture and farming operations, we need to consider whether big or small, we're all susceptible to pesticides. In the event of the 16 school evacuations on Kauai, the pesticide exposure was caused by homeowners, and not farmers.

"In order to keep our communities safe, we need to know who and what to keep them safe from. And it is the responsibility of everyone in our community to know how to safely use these pesticides we use in everyday life.

"This is why I feel these regulations should apply to everyone. While low-level chronic exposure is a stated focus, acute exposure can have some of the same effects, plus the health studies performed in these areas do not have the numbers to make them statistically significant. Let's do a full health study and include everything, from who smokes, who sprays Round-Up to control weeds, along with pre-existing health conditions in that community. Let's get the full scope of the health of our communities.

"You see, Mr. Speaker, I am a farmer, a third-generation Hawaiian homestead farmer that grows the Molokai purple sweet potatoes, and I'm trying to do my part by feeding our people. We're passionate about what we do, and really, it's not in my best interest, or any of my fellow farmers' best interest, to kill our customers with pesticides. And the notion that that's what we do is insulting.

"Farmers such as myself, that are certified and go through training on how to apply restricted-use pesticides, are under heavy oversight. How can we as farmers that provide food to the people stop having to defend ourselves to people that don't know nothing about pesticides? I find it insulting that outside influences claiming to know everything, in actuality know very little about farming.

"Punish those that do wrong, I fully agree with that. Fine them, fine everyone who breaks the rules. They must be punished, Mr. Speaker. But again, Mr. Speaker, if the evacuations of schools were caused by pesticide use by homeowners, then why are we turning the blame on others? That is not right, and I will not turn away from that. Again, we must educate all our members of our communities so we can prevent further exposure.

"On Kauai, the farm that did screw up got fined and punished, which is the right thing to do. A single farmer, a single violation, and a single fine. We don't need to punish and regulate to death every single farmer because of one entity.

"Mr. Speaker, this bill in its current form is not about protecting kids and communities from pesticides, the very pesticides that farmers use as a tool, and as a last resort to control pests, including invasive species. This bill is to attack agriculture. People can hate the companies for doing wrong, but by all means, don't hate the practice, because who will feed the people?"

"This bill and others like it will not encourage farming, it will destroy farming. The incidents occurred right in front of our eyes, and we are looking to the other guy. We have to teach them, educate them, and protect them. Let's help them, Mr. Speaker, and at a time when the Governor has asked us to double food production in the State, why is this body looking at legislation which will create road blocks?"

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

Representative DeCoite continued, stating:

"Thank you. Fine and punish those that are violating, but do not punish those that apply pesticides correctly. Again, I want to be clear, Mr. Speaker, I am not against buffer zones. But I want to address the root of the problem.

"As lawmakers, Mr. Speaker, it is our job to hear all sides, and to ask those tough questions, and decipher what is truth and what is not. Based on the answers given and research to back it up, we make our decisions. For this bill and many like it, the real focus should be education and prevention. Let's not jump the gun too fast. This could be the difference between us being food-sustainable or not. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. Strong reservations, and I'd like the words of the previous speaker to be as if they were my own also," and the Chair "so ordered." (By reference only.)

Representative Morikawa continued, stating:

"I started the disclosure bill a few years ago. The Department of Health has that capacity to do that. The Good Neighbor Program started from Kauai, and I believe that is where we need to go. We need to spread that throughout the State of Hawaii.

"Everyone knows that we want to protect our children, ourselves, against any type of chemical, pesticides, what have you. But why do something that may have consequences to our good farmers, to the people who are growing food for our state?"

"And I think before we mandate anything like that, let's have a good conversation. The Department of Ag has expressed their concerns. I agree with them, they're doing well, as well as they possibly can with the resources they have. Thank you, Mr. Speaker."

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

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

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

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

"Thank you, Mr. Speaker. In strong support. I just want to remind everybody, this is a pilot project around five schools. And sitting on the Ag Committee, I've had the pleasure of questioning Director Enright on numerous occasions about these sorts of things, as well as the industry, as well as opponents, and those who want more buffer zones.

"The one thing that I've learned for sure, is that things like the Good Neighbor Program is practically meaningless, and the reason is that, scientifically meaningless, is because it is limited in what data it collects. It may disclose what's sprayed, but it doesn't say when, it doesn't say where, and they cannot make any scientific conclusions without complete data. The director of the Department of Agriculture has admitted as much. Anybody who knows basic science will admit as much. So this simply requires disclosure and public notification around five schools.

"The rhetoric that we get back when there's an attempt to try to even understand what's going on from industry is that you can't prove anything's wrong, so what's the problem? Well, the reason you can't prove anything's wrong is because we don't have disclosure and public notification of what's being sprayed. It's so simple. Thank you."

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

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

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

Representative Onishi rose to respond, stating:

"Thank you, Mr. Speaker. Second time, in opposition. Mr. Speaker, research and science has already proven that the incidents in Hawaii have not been attributed to commercial farmers, but residents. So anyone who believes in research and science can see that the problem is not with commercial farmers, it is with our residents not understanding how to apply pesticides. And so we should be focusing on those issues, and not those that would hurt agriculture. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. With reservations. I appreciate the efforts of the author and the introducers on this bill and the work of the chairs hearing it. I'm not going to ask to incorporate the words of the Representative from Molokai because I'm not a farmer, and those are the words of a farmer. But I do want the record to reflect my support of the Representative from Molokai on this issue and the perspective that she brings as a farmer. Thank you."

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

"Thank you, Mr. Speaker. This is a very contentious issue. I would almost be tempted to vote with reservations myself, but I was told that as the chair of the committee that passed this out, that that wouldn't be very appropriate, so I had to refrain from doing that the other day. So, I want to thank my Vice Chair for her comments, and I want to thank and assure everyone, I fully support farming, and I want to support the children of our state, also.

"I think what was interesting, some of us went down to Baton Rouge to see the Monsanto glyphosate plant, where they're going to also establish a billion-dollar dicamba plant. And they were bragging to us about their 2,000-foot buffer zones, which I thought was a little ironic. But they're important, because the precursors of those chemicals they're producing, including liquid chlorine, could kill people. So they have the nearest houses are over 2,000 feet away. So they take precautions, and I think they're appropriate, and they actually boasted about it.

"So I don't know what appropriate buffer zones are. When you're talking about the issues of pesticides, you're talking about acute toxicity and chronic low-level toxicity, and they're two very different issues. The Agriculture Department says that they can address the acute issues but not the chronic ones, and unfortunately those aren't being well addressed.

"Now, we used to use DDT in vast quantities. It got rid of *aedes aegypti* mosquitoes in Oahu, it was very successful, and it got rid of malaria in the southern part of the United States and in California. And it had very little acute toxicity. Kids used to run behind the DDT trucks and bathe in the mist. They thought it was kind of fun. It didn't taste bad, I guess. And it didn't have any acute toxicity. They didn't get sick from doing that.

"But in the long term, it did cause problems. It wiped out many of our predatory birds and eventually it was banned in the United States. But it took a long time for us to realize the dangers from that. And that was because the exposure wasn't acute, it was long-term chronic exposure. Not particularly

to people, though it could cause cancer, but also to our environment and the other animals in our environment.

"A recent article in the New York Times was talking about this long-term, low-level exposure, and they compared this to what happened when we banned lead in gasoline. And they claimed, which I think there's some truth to that, that banning lead in gasoline raised the IQ of a generation by four to five points. There was that much effect. And there's some feeling that the low-level exposure to organophosphates, including chlorpyrifos, could do the same thing to a whole generation of our children now. It may be spotty around the country, but that's the claim, and I think it's substantiated.

"So this isn't about acute toxicity, I agree with my Vice Chair that most of the acute incidents are due to homeowners, and they should be chastened, if not informed, and maybe even punished. But I think we have to address the low-level, long-term exposure and address that. Whether buffer zones are the answer, I don't know, but I have to defer voting with reservations and vote up on this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1571, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Water & Land, with Representatives DeCoite, Har, Ito, Keohokalole, Matsumoto, Morikawa, Oshiro and Ward voting aye with reservations, with Representatives Onishi and Tokioka voting no, and with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 200) recommending that H.B. No. 1001, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1001, HD 1 pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

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

"I wanted to express reservations on Stand. Com. Report 200, 201, 202. Thank you, sir, and just a brief comment. I'm extremely concerned about removing any amount of funds to our schools. Even the people who may be of lower income who are buying homes, like myself and my wife when we did, we ought to put some money in the new purchase of a home towards infrastructure and the schools. 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. 1001, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," passed Second Reading and was referred to the Committee on Education, with Representative LoPresti voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 201) recommending that H.B. No. 841, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 841, HD 1 pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative LoPresti rose in support of the measure with reservations. [Note: See Stand. Com. Rep. No. 200, H.B. No. 1001, HD 1, for remarks.]

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 841, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," passed Second Reading and was referred to the Committee on Education, with Representative LoPresti voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Brower, for the Committee on Housing, presented a report (Stand. Com. Rep. No. 202) recommending that H.B. No. 656, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 656, HD 1 pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative LoPresti rose in support of the measure with reservations. [Note: See Stand. Com. Rep. No. 200, H.B. No. 1001, HD 1, for remarks.]

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 656, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," passed Second Reading and was referred to the Committee on Education, with Representative LoPresti voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 203) recommending that H.B. No. 751, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 751, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 204) recommending that H.B. No. 752, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 752, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 205) recommending that H.B. No. 753, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 753, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 206) recommending that H.B. No. 758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 758, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 207) recommending that H.B. No. 762, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 762, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 208) recommending that H.B. No. 211, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 209) recommending that H.B. No. 1181, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PRESCRIPTION DRUG REIMBURSEMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 210) recommending that H.B. No. 1572, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1572, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Gates and Ing being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 211) recommending that H.B. No. 1434, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1434, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 212) recommending that H.B. No. 1443, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1443, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Mr. Speaker, I know it's only second reading, but just would like to stand in strong support of the measure. I look forward to hopefully being a shareholder. Comments to the Journal. Thank you."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I stand in strong support of this measure.

"With this measure, we will finally bring the Hawaii airport system out of the stone age. It currently suffers from myopic mismanagement, stemming from an antiquated top-down approach, which is repressive to airport businesses, and sorely lacking in consideration of the travel needs of Hawaii residents, as well as our domestic and international visitors.

"It is a crying shame, Mr. Speaker, that even the bathrooms at a Hawaii's International Airport (PHNL) are worse than those in Nandi, Fiji (NFFN). Instead of presenting our airports as a robust visitor destination, and instead of proclaiming Hawaii to be the hub of the Pacific, visitors and residents alike are treated to a slap-dash piecemeal amalgam of crumbling buildings held together with duct-tape and baling wire. The sad thing is that we have potential to create an international airport on par with Dallas-Fort Worth (KDFW).

"With this Hawaii Airport Corporation, we can truly have an airport transit system on par with the best of our mainland sister cities. The Hawaii Airport Corporation will revitalize and serve as an essential management tool in an enhanced national network of air travel, we will become as modern and efficient as a Crescent City or Hayward airport."

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

"Thank you, Mr. Speaker, in strong support. Permission to enter comments into the Journal. Thank you."

Representative Tupola's written remarks are as follows:

"Kalaeloa Airport is located in my district, and it is imperative that its issues be resolved in order for it to function at its full potential. I believe that the Hawaii Airport Corporation proposed in this measure is a step in the right direction."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1443, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AIRPORT CORPORATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representatives Aquino and Brower, for the Committee on Transportation and the Committee on Housing, presented a report (Stand. Com. Rep. No. 213) recommending that H.B. No. 1128, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.B. No. 1128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading and was referred to the Committee on Water & Land, with Representatives Gates and Ing being excused.

Representatives Aquino and Brower, for the Committee on Transportation and the Committee on Housing, presented a report (Stand. Com. Rep. No. 214) recommending that H.B. No. 1212, as amended in HD 1, pass Second Reading and be referred to the Committee on Water & Land.

Representative Saiki moved that the report of the Committees be adopted, and that H.B. No. 1212, HD 1 pass Second Reading and be referred to the Committee on Water & Land, seconded by Representative Evans.

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

"Mr. Speaker, no vote. Mr. Speaker, I will consistently vote no on the TOD until we have private sector development rights sold and private sector monies raised to supplement the high taxation for the rail. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 1212, HD 1, entitled: "A BILL FOR AN ACT RELATING TO URBAN REDEVELOPMENT," passed Second Reading and was referred to the Committee on Water & Land, with Representative Ward voting no, and with Representatives Gates and Ing being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 215) recommending that H.B. No. 914, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 914, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 216) recommending that H.B. No. 1132, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1132, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 217) recommending that H.B. No. 1406, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF PHARMACY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 218) recommending that H.B. No. 1574, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1574, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RATES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 219) recommending that H.B. No. 1577, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1577, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPOSTING," passed Second Reading and was referred to the Committee on Education, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 220) recommending that H.B. No. 1580, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1580, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Transportation, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 221) recommending that H.B. No. 793, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 793, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Transportation, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 222) recommending that H.B. No. 1249, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1249, HD 1 pass Second Reading and be referred to the Committee on Housing, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Housing, with Representative Say voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 223) recommending that H.B. No. 1593, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREEN INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 224) recommending that H.B. No. 1545 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1545 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Say 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 the report of the Committee was adopted and H.B. No. 1545, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Say voting no, and with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 225) recommending that H.B. No. 1294, as amended in HD 1, pass Second Reading and be referred to the Committee on Housing.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1294, HD 1 pass Second Reading and be referred to the Committee on Housing, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1294, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Housing, with

Representative Say voting aye with reservations, and with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 226) recommending that H.B. No. 1280, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1280, HD 1 pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative Say rose and asked that the Clerk record a no vote for him, and the Chair "so ordered." [Note: See Stand. Com. Rep. No. 227, H.B. No. 848, HD 1, for remarks.]

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY MODERNIZATION AT THE DEPARTMENT OF EDUCATION," passed Second Reading and was referred to the Committee on Education, with Representative Say voting no, and with Representatives Gates and Ing being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 227) recommending that H.B. No. 848, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 848, HD 1 pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative Evans.

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

"A no vote once more, and, Mr. Speaker, may I just say a few words on both of these measures? The concern I have in the future is that there may be some unintended consequences when the State exempts itself from the rates, which will then be passed on to the general public at large, which is the ratepayers throughout the State of Hawaii. It is for these reasons that I am concerned, because we did that with the solar panels. How it did affect individual homeowners, but overall it affected the general ratepayers at large because rate increases occurred based on the savings by the individual homeowners. 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. 848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY MODERNIZATION AT THE UNIVERSITY OF HAWAII SYSTEM," passed Second Reading and was referred to the Committee on Higher Education, with Representative Say voting no, and with Representatives Gates and Ing being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 228) recommending that H.B. No. 663, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 663, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

"Mr. Speaker, a no vote, brief comment. This bill seeks to bring transparency to limited service pregnancy centers by asking them to disseminate information about what services are provided here in Hawaii. But I feel like as it's written right now, it still doesn't bring transparency, because what's written and what's going to be mandated that's written is not what these service centers provide."

"And I appreciate the supporters of this bill willing to meet halfway, and they even gave an amendment that would allow, at least meet us middle-ground, and I hope that the Judiciary Committee can take into consideration the ACOG amendment. Planned Parenthood is also for that as well. I feel like, because there's very few limited pregnancy centers, that we should take into consideration that everyone's willing to meet in the middle ground, so we should get there. So, until that's fixed, a no vote. Thank you."

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

Representative Ward rose and asked that the Clerk record a no vote for him, 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 Har rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in opposition to House Bill 663, HD1. This bill requires all limited service pregnancy centers to accurately disclose availability and enrollment information for reproductive health services. It would further establish privacy and disclosure requirements for individual records and information. On its face, this bill seems innocuous. Upon further examination, however, there are clearly questions of constitutionality and whether this measure would violate the First Amendment. Specifically, my source of concern stems from Section (2) of the bill which states:

Every limited service pregnancy center in the State shall disseminate on-site to clients or patients the following written notice in English and in other languages as required by section 321C-3:

"Hawaii has public programs that provide immediate free or low-cost access to comprehensive health care services, including family planning services, all FDA-approved methods of contraception, prenatal care, and abortion for eligible women. To apply for medical insurance coverage that will cover the full range of family planning and prenatal care services, contact the appropriate Med-QUEST division eligibility office or apply on-line at mybenefits.hawaii.gov."

"Mr. Speaker, this bill would require a limited service pregnancy center to advertise abortion, which goes against their fundamental beliefs. Clearly, this bill is a violation of the First Amendment. While our citizens deserve access to accurate and fair information, it should not be to the detriment of another group having to surrender their most basic rights protected by the First Amendment. With all that is happening now at the federal level with the travel ban mired in religious prosecution, it is disheartening to know that my democratic colleagues would support such a measure.

"For these reasons, Mr. Speaker, I stand in opposition."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Matsumoto voting aye with reservations, with Representatives Har, McDermott, Tupola and Ward voting no, and with Representatives Gates and Ing being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 229) recommending that H.B. No. 767, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 767, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

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

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

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

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

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

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

"Thank you, Mr. Speaker. Clearly I'm voting no on this issue. And maybe not for the reasons that everyone would think.

"I think medications are not the answer to life's problems. They're the last thing we should be doing when we go to address problems of life. And when I was being educated as a psychologist, and I have, in the last five or six years, 25 courses in psychology, I was told, don't medicalize life. They said, you're a doctor, you guys medicalize life all the time. You shouldn't medicalize life.

"Well, now psychologists are attempting to join the psychiatrists in medicalizing life, and I think that's wrong. I think psychiatrists medicalize life way too much, and that's why I didn't become a psychiatrist, I went to learn psychology and become a psychotherapist. And then I came here and I'm still learning quite a bit of psychotherapy here. And I need quite a bit after the last three years.

"Anyway, I spoke to, as many of you may have known, the Masters in Psychopharmacology, the pharmacy school is not admitting any new patients, and I spoke to the dean of the pharmacy school, Carolyn Ma, and she said they would never support re-instituting that program that had no rigor. But it was in a difficult position because she's not going to go after the people in her own faculty that started that program up. But she does not intend to ever start up a similar program.

"Now, when I was in the Peace Corps in the Marshall Islands, I lived on an island of 500 people for two years. No one ever took a pill there, for life. Never. There was no pill, and they led a very good life, a very healthy life, a very happy life. So I saw a society where a communal group of people, based in part on the center of their island, which is the religion, the Protestant Church, taught them to be moral people, taught them to live good lives, and they did that, without any medication. Even the ones that had some serious mental illnesses were treated kindly, appropriately, supported, and they needed no medication to lead good lives.

"So let's not medicalize life. Let's not allow people who don't have the training to hurt people. Yes, we want to help people with mental illness, but medication is not the answer, and medication from inadequately trained people is certainly not the answer. It's going to hurt people, not help people. Thank you, Mr. Speaker."

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

"Mr. Speaker, in opposition, a few comments. I had not seen this bill when I voted on it in committee. It was still in drafting form, and this is the first time I've actually seen the bill. So, not having really gone through this bill thoroughly, I'd like to say at least the following.

"One of the basic concerns we had last year, when this bill was killed, was safety. We have, I believe, inadequate basic education amongst some of these people who will be prescribing medication. Many of the people do not

have basic science education. Some of these people come from private universities which have very low entrance requirements. And also, even at the better schools, such as UH-Hilo Daniel Inouye School of Pharmacy, you have situations that are rather bizarre. For instance, the person in charge of the Masters of Science in Clinical Pharmacology has a specialty in veterinary pharmacology, and has never worked with human beings. That is the same program that has videotape lectures.

"Now, it is very difficult to begin understanding an area if you don't have the basic education. Secondly, when you go beyond that, clinical experience in this bill is fairly limited. It includes, among other things, at least 100 patients. If any of you have gone or been near a clinical program, you can see 100 patients in a matter of days, certainly less than a five-day work week. This compares to four years of regular residency by a M.D. psychiatrist. Less than a week, compared to four years. That's a real big difference.

"Seeing a patient, or administering medication to a patient in certain clinical settings, is not by itself good experience, because you may not see that patient ever again. So it is not just the quantity of clinical experience, it's the quality of clinical experience that matters.

"I can say other things about this bill. I have not really looked at what it says about the patients. A big concern last year was that there was no limitation as to the number and kinds of patients you could see. That is, children, people with existing medical and mental health problems, pregnant women, senior citizens, all of these have real specialized needs, and I think cannot be lumped into one general category.

"At any rate, I'm sure that I and other people will now have the benefit of reading the bill in its full form, and I hope that there will be further discussion later. Thank you."

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

"Mr. Speaker, I want to declare a possible conflict of interest. I have two members of my family who are doctors, and have relatives who are also psychologists," and the Chair ruled, "no conflict."

Representative Cachola continued to speak in opposition to the measure, stating:

"I'll be voting no on this measure, because we are playing games with people's health. The way I look at it, the relatives who are psychologists, they don't want to dispense with any medicine at all. And I believe that they are not qualified to do it, and because of that, and in the interest of being cautious, we should, I am voting no on this measure. Thank you."

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

"Thank you, Mr. Speaker. A no vote as well. I'd like to ask that the words of the honorable doctor from the Big Island and the honorable doctor from Diamond Head be entered into the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. In support. I am not the author of this bill. I have, as a lot of you already know, have been a practicing attorney for over 30 years. And in the beginning portion of my practice, I used to take court-appointed cases where I had to deal with a lot of the mentally ill, those who have had their children taken away, those who are in our system now. And I just want to point out, we are going to have to deal with the mentally ill one way or the other, either as a victim of a criminally insane person, in the homelessness, in our social services.

"The Big Island, especially East Hawaii, because that's what I know, I don't Oahu all that well, has had, for years, two psychiatrists. They were so overworked that they stopped accepting hospital privileges.

"Usually, hospital privileges, as a good doctor knows, is one of those privileges that every doctor wants, because it allows them to have patients in a hospital. But it requires an obligation. The obligation is you have to accept the people who don't have doctors in an emergency room situation, and you have to go there and you have to treat them. That's the obligation for the privilege of having hospital privileges. The psychiatrists on the Big Island are so overworked that they are willing to give up their hospital privileges because they can't keep up.

"We all know from the many discussions in the various forms of this bill has come through here, that psychotropic drugs, we have become experts, are very strong, and we should not give prescriptive privileges to those who do not know better. And I'm hoping that when this gets to conference that we fix those holes, that we require the kind of education that's more than the one that the Representative of Kapahulu referred to. That we require, at least, because these are psychologists, I'm going to assume that we are going to require that they have the Ph.D., that these are certified licensed psychologists to begin with, and require them to have the kind of certified pharmacology-type of medication before we do that, because we need to do something.

"Because one way or the other, we, as a society, are going to suffer for it, and we are suffering for it now, especially in our homeless situation, and if this is one way to solve it, at least minimally, at least some, then we should do it. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, I earlier said no, and I just wanted to make a comment by reinforcing the fact that if the homeless would accept medication, I would vote with the good Representative from the Big Island. However, 99% of the time they say thanks, but no thanks, I'm fine as I am. If we could get the homeless, who 50% to 60% are mentally ill or otherwise addicted and who need support, if the good Representative is correct, I will gladly flip my vote. Thank you."

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

"Thank you, Mr. Speaker. In opposition. Just very brief comments, Mr. Speaker. As somebody who has worked with the mentally ill, Mr. Speaker, as somebody who's licensed and has worked both in the hospital, in a psychiatric unit, in an emergency room, in the community, on the Big Island, and on the windward side of Oahu, Mr. Speaker, as somebody who's worked with CPS cases, and kids and adults, both in groups as well as domestic violence, as well as anger issue problems, Mr. Speaker, I stand in opposition. Mr. Speaker, if you want to solve the problem, hire more social workers. Thank you."

Representative Tupola rose to respond, stating:

"Thank you, Mr. Speaker. Still in opposition, second time. I just wanted to make a few comments. But it is true, though, that we have less and less psychologists, and so they are actually deferring to social workers, to kind of help out with this issue.

"And I would say that we should take even more caution in using this method to help the homeless, because the Tampa Bay shooting that happened in Florida was a direct result of a psychologist prescribing somebody medication in New Mexico, and that shooting was connected to that.

"So I think that, definitely something needs to happen. I would share that there is a Senate bill coming over that actually gives a care manager model, where a psychiatrist can do more work with less time, and that the patient actually doesn't have to go there for a second visit.

"So I think that psychiatrists are coming around, knowing that we have this deficit, and offering other solutions, and I would say that, because we have so much mental health issues, we should be cautious in the way we go about solving that, and not cut corners in areas like education or science background that may prove to be more harmful in the end. So 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. 767, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR CERTAIN CLINICAL PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Fukumoto and Matsumoto voting aye with reservations, with Representatives Cachola, Creagan, Kobayashi, LoPresti, McDermott, Thielen, Tupola, Ward and Yamane voting no, and with Representatives Gates and Ing being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 230) recommending that H.B. No. 777, as amended in HD 1, be recommitted to the Committee on Agriculture.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 777, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was recommitted to the Committee on Agriculture, with Representatives Gates and Ing being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 231) recommending that H.B. No. 73, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 73, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIAL PROCEEDINGS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Belatti being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 232) recommending that H.B. No. 74, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 74, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, no vote, brief comment. And the brief comment is, if the tradition presently is that when this body wants to go to court, it has to have concurrence with the Senate, and when the Senate wants to go to court or hire legal counsel, it has to come and get concurrence with the House.

"My feeling, Mr. Speaker, that in this bicameral tradition, that if we break it we may have more difficulties as we have had with the Castagnetti case, in which case the Department of Hawaiian Home Lands, because it was within agreement, was able to be countered, if you will, or contested. In the event that there's a change of heart in one of the houses, that case would not have been adjudicated, and the \$28 million that the Supreme Court said should be given to the Department of Hawaiian Home Lands would have been given. So because of those reasons, Mr. Speaker, I think we should move as a legislature, not as a non or unicameral legislature. 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. 74, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYMENT OF ATTORNEYS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Ward voting no, and with Representative Belatti being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 233) recommending that H.B. No. 300, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 300,

HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH WARRANTS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Belatti being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 234) recommending that H.B. No. 301, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESPONSE TO WRIT FOR CERTIORARI," passed Second Reading and was placed on the calendar for Third Reading, with Representative Belatti being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 235) recommending that H.B. No. 459, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 459, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Second Reading and was placed on the calendar for Third Reading, with Representative Belatti being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 236) recommending that H.B. No. 717, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 717, HD 1 pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative Evans.

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

"Thank you, in opposition. Mr. Speaker, 236 is a bill that will prevent undocumented residents from being able to get their signature notarized. And Mr. Speaker, unfortunately, I believe it smells of Trumpism. And it really does, Mr. Speaker. We worked last session to get undocumented residents the ability to have limited driver's licenses, so they would have some form of identification.

"Now this bill joins the national hysteria against undocumented residents, and what it says is, if you need to have your signature notarized on a loan document, you're not going to be able to do it. Because we're allowing the notaries to not accept the limited purpose driver's license for the undocumented resident, we're taking away some of the ability for those people to function in our society.

"And I call it Trumpism, and I think that this bill should not come out, Mr. Speaker, for a third reading. It doesn't have another committee to go to. It just was single referral. But I would ask every member in this body to look at it seriously, because it is taking away the ability for an undocumented resident to function in our society. There are many documents that have to be notarized. They no longer will be able to get that. Thank you."

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

"Thank you, Mr. Speaker. In support. Mr. Speaker, the limited purpose driver's license does not comply with federal standards and cannot be used to board a plane or vote. Thank you."

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

"With reservations. What the last speaker said is absolutely true. That's the point of a driver's license, it's just to allow people that are undocumented, or everybody, to drive safely. It's for the safety of everyone.

"Currently these people are going to be driving, no matter what, they got to get to work. Let's make sure they're licensed and able to do it. It's not

meant to comply with federal ID laws, it's not meant for travel. But it is meant for our safety, and also, because of the Real ID Act, it's crazy to try to redo your driver's license, or to re-up it. If anyone has gone recently, you need three forms of ID. So this allows a limited purpose license, if you already have an ID, that we can all get, it's not just for undocumented people. Thank you."

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

"Mr. Speaker, in support. Mr. Speaker, this initiative is in the true spirit of what we passed a number of sessions ago, in that a driver's license is a driver's license. We went out of our way to make sure undocumented aliens could drive and could get a license and could get insurance for the public good. This is going above and beyond that, it has nothing to do with Trumpism, it has to do with the liberal bent of some individuals in this body by which this bill is in keeping with the integrity of this body of which we've passed.

"Having said that, Mr. Speaker, will there be others that will attempt to do it for other purposes in the future? I say no, and this is the way that it should be stopped. 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. 717, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was placed on the calendar for Third Reading, with Representative Ing voting aye with reservations, with Representative Thielen voting no, and with Representative Belatti being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 237) recommending that H.B. No. 796, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 796, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ASSAULT OF A UTILITY WORKER," passed Second Reading and was placed on the calendar for Third Reading, with Representative Belatti being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolution (H.C.R. No. 43) was referred to Printing and further action was deferred:

H.C.R. No. 43, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY REGARDING PROFESSIONAL LICENSURE OF AMERICAN SIGN LANGUAGE INTERPRETERS AND REGULATION OF INTERPRETER REFERRAL AGENCIES," was jointly offered by Representatives Tokioka, Brower, Creagan, Ichiyama, Ito, Kong, McKelvey, Oshiro, Saiki, Say, Takayama and Yamashita.

ANNOUNCEMENTS

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R.</u> <u>Nos.</u>	<u>Referred to:</u>
12	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance
15	Committee on Finance
16	Committee on Education

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>
29	Committee on Labor & Public Employment, then to the Committee on Finance
30	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance
31	Committee on Finance
32	Committee on Housing, then to the Committee on Water & Land
33	Committee on Health, then to the Committee on Consumer Protection & Commerce
34	Committee on Human Services, then to the Committee on Higher Education
35	Committee on Human Services, then to the Committee on Higher Education
36	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
37	Committee on Education
38	Committee on Consumer Protection & Commerce, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following measures were re-referred to committee by the Speaker:

<u>H.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
193	Committee on Consumer Protection & Commerce, then to the Committee on Finance
777, HD1	Committee on Agriculture, then to the Committee on Energy & Environmental Protection
884	Committee on Education, then to the Committee on Finance
1300	Committee on Energy & Environmental Protection, then to the Committee on Finance
1304	Committee on Water & Land, then to the Committee on Finance
1339	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

ADJOURNMENT

At 1:20 o'clock p.m., on motion by Representative Evans, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon Monday, February 13, 2017. (Representatives Belatti and Har were excused.)