

TWENTY-FIFTH DAY

Tuesday, March 7, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 9:07 o'clock a.m., with Speaker Souki presiding.

The invocation was delivered by Representative Nicole E. Lowen, after which the Roll was called showing all Members present with the exception of Representatives Ichiyama and Ward, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 6) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 6, dated March 2, 2017, transmitting proposed changes to the FB 2017-19 Executive Budget Request.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 23 through 70) were received and announced by the Clerk:

Sen. Com. No. 23, transmitting S.B. No. 49, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 24, transmitting S.B. No. 147, entitled: "A BILL FOR AN ACT RELATING TO THE REPEAL OF SECTION 325-15, HAWAII REVISED STATUTES," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 25, transmitting S.B. No. 149, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 26, transmitting S.B. No. 202, entitled: "A BILL FOR AN ACT RELATING TO SERVICE AREA BOARDS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 27, transmitting S.B. No. 203, entitled: "A BILL FOR AN ACT RELATING TO STATE COUNCIL ON MENTAL HEALTH," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 28, transmitting S.B. No. 327, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 29, transmitting S.B. No. 333, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARY PUBLIC FEES," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 30, transmitting S.B. No. 367, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 31, transmitting S.B. No. 369, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 32, transmitting S.B. No. 373, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 33, transmitting S.B. No. 393, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 34, transmitting S.B. No. 399, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 35, transmitting S.B. No. 417, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 36, transmitting S.B. No. 422, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD VISITATION," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 37, transmitting S.B. No. 438, entitled: "A BILL FOR AN ACT RELATING TO THE FAILURE TO FILE A REPORT WITH THE CAMPAIGN SPENDING COMMISSION," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 38, transmitting S.B. No. 440, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATIONS OF CAMPAIGN FINANCE LAW," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 39, transmitting S.B. No. 443, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZATIONAL REPORTS OF CANDIDATE COMMITTEES," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 40, transmitting S.B. No. 444, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZATIONAL REPORTS OF NONCANDIDATE COMMITTEES," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 41, transmitting S.B. No. 609, entitled: "A BILL FOR AN ACT RELATING TO ATTESTATION ENGAGEMENTS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 42, transmitting S.B. No. 611, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 43, transmitting S.B. No. 629, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 44, transmitting S.B. No. 712, entitled: "A BILL FOR AN ACT RELATING TO THE VARIANCE REPORT," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 45, transmitting S.B. No. 872, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 46, transmitting S.B. No. 901, entitled: "A BILL FOR AN ACT RELATING TO THE AEROSPACE ADVISORY COMMITTEE," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 47, transmitting S.B. No. 914, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 48, transmitting S.B. No. 915, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 49, transmitting S.B. No. 916, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 50, transmitting S.B. No. 917, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 51, transmitting S.B. No. 918, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 52, transmitting S.B. No. 919, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 53, transmitting S.B. No. 920, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 54, transmitting S.B. No. 921, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 55, transmitting S.B. No. 922, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 56, transmitting S.B. No. 923, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 57, transmitting S.B. No. 924, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 58, transmitting S.B. No. 925, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 59, transmitting S.B. No. 926, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 60, transmitting S.B. No. 944, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS RELATED TO THE TRANSITION OF MAUI REGION HOSPITALS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 61, transmitting S.B. No. 949, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 62, transmitting S.B. No. 961, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 63, transmitting S.B. No. 966, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 64, transmitting S.B. No. 969, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 65, transmitting S.B. No. 981, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 66, transmitting S.B. No. 984, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION

PHYSICIAN," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 67, transmitting S.B. No. 990, SD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREST STEWARDSHIP," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 68, transmitting S.B. No. 1156, entitled: "A BILL FOR AN ACT RELATING TO MOVIE THEATERS," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 69, transmitting S.B. No. 1255, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO HONOKAA LAND COMPANY, LLC," which passed Third Reading in the Senate on March 3, 2017.

Sen. Com. No. 70, transmitting S.B. No. 1271, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1, OF THE HAWAII STATE CONSTITUTION TO CHANGE THE AGE QUALIFICATION FOR VOTING IN STATE OR LOCAL ELECTIONS," which passed Third Reading in the Senate on March 3, 2017.

On motion by Representative Evans, seconded by Representative Tupola and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives Ichiyama and Ward were excused.)

S.B. No. 49, SD 1
S.B. No. 147
S.B. No. 149
S.B. No. 202
S.B. No. 203
S.B. No. 327, SD 1
S.B. No. 333, SD 1
S.B. No. 367
S.B. No. 369, SD 1
S.B. No. 373
S.B. No. 393
S.B. No. 399, SD 1
S.B. No. 417
S.B. No. 422, SD 1
S.B. No. 438
S.B. No. 440, SD 1
S.B. No. 443
S.B. No. 444
S.B. No. 609
S.B. No. 611, SD 1
S.B. No. 629, SD 1
S.B. No. 712
S.B. No. 872, SD 1
S.B. No. 901
S.B. No. 914, SD 1
S.B. No. 915, SD 1
S.B. No. 916, SD 1
S.B. No. 917, SD 1
S.B. No. 918, SD 1
S.B. No. 919, SD 1
S.B. No. 920, SD 1
S.B. No. 921, SD 1
S.B. No. 922, SD 1
S.B. No. 923, SD 1
S.B. No. 924, SD 1
S.B. No. 925, SD 1
S.B. No. 926, SD 1
S.B. No. 944, SD 1
S.B. No. 949, SD 1
S.B. No. 961
S.B. No. 966, SD 1
S.B. No. 969
S.B. No. 981, SD 1
S.B. No. 984
S.B. No. 990, SD 1

S.B. No. 1156
S.B. No. 1255
S.B. No. 1271

INTRODUCTIONS

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

Representative Johanson introduced his constituents, Mr. and Mrs. Johnny and Julia Sanchez, who were celebrating their first wedding anniversary.

Representative Luke introduced Finance Committee staff: the research SWIM team, Sarah Nagaji, Wren Fukada, Ivana Tran and Mike Nakasone; supervisors, Stacey Tagala and Randall Hiyoto; and Joy Nakashima and Ian Nishimura.

Representative Matsumoto introduced Ms. Manju Ganeriwala, Treasurer of the Commonwealth of Virginia.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Ward and carried, the rules were suspended for the purpose of considering certain House Bills for Third Reading by consent calendar. (Representative Ichiyama was excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

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

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 967) recommending that H.B. No. 50, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 50, HD 3, entitled: "A BILL FOR AN ACT RELATING TO APPRAISAL MANAGEMENT COMPANIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 968) recommending that H.B. No. 1152, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1152, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION, AIRPORTS DIVISION, PROJECT ADJUSTMENT FUND," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 969) recommending that H.B. No. 1249, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1249, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 972) recommending that H.B. No. 1006, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1006, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 973) recommending that H.B. No. 850, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 850, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 974) recommending that H.B. No. 1591, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1591, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII PROMISE PROGRAM," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 975) recommending that H.B. No. 633, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 633, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTING DAM AND RESERVOIR OWNERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 977) recommending that H.B. No. 674, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 674, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE PROVIDERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 981) recommending that H.B. No. 1444, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1444, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHARMACY BENEFIT MANAGERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 982) recommending that H.B. No. 733, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 733, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 987) recommending that H.B. No. 1516, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1516, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL FORFEITURE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 993) recommending that H.B. No. 946, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 946, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH OCCUPANCY VEHICLE LANES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 998) recommending that H.B. No. 232, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 232, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 999) recommending that H.B. No. 1208, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1208, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1001) recommending that H.B. No. 618, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 618, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND LEASES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1002) recommending that H.B. No. 632, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 632, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER INFRASTRUCTURE LOANS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1004) recommending that H.B. No. 1322, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1322, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSTRUCTION CONTRACTS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1005) recommending that H.B. No. 168, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 168, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEMORIALS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1006) recommending that H.B. No. 190, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 190, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE FLIGHT SCHOOLS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1008) recommending that H.B. No. 1580, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1580, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1009) recommending that H.B. No. 1465, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1465, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1010) recommending that H.B. No. 598, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 598, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CYBERSECURITY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1011) recommending that H.B. No. 1044, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1044, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE FUELS TAX CREDIT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1012) recommending that H.B. No. 1326, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1326, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1013) recommending that H.B. No. 1240, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1240, HD 2, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS TO ADDRESS HOMELESSNESS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1014) recommending that H.B. No. 1308, HD 2, as amended in HD 3, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1308, HD 3 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, I stand in strong support of this measure. Within our district and through numerous bills introduced this session, we are informed of the many concerns regarding homeowners' associations powers within planned communities. This measure is designed to study the issues that arise when contractually agreed-upon services are misunderstood and when homeowners' associations overstep their governance boundaries. Regulation of homeowners' associations, as well as mediation and arbitration between homeowners and their homeowners' association, is an area for which the State has little purview. This study should bring to light the nature of specific issues of economic non-performance and governance in order for the state auditor to make specific solutions-oriented policy recommendations for both the short and long-term, which may address the issues in many planned communities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1308, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HOMEOWNERS ASSOCIATIONS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1015) recommending that H.B. No. 488, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 488, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1016) recommending that H.B. No. 207, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 207, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1017) recommending that H.B. No. 530, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 530, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMEBUYER ASSISTANCE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1018) recommending that H.B. No. 534, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 534, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1024) recommending that H.B. No. 492, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 492, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1026) recommending that H.B. No. 1436, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1436, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AWARDED FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1031) recommending that H.B. No. 1130, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1035) recommending that H.B. No. 1402, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1402, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1036) recommending that H.B. No. 1484, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1484, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ASSAULT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1037) recommending that H.B. No. 177, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 177, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1038) recommending that H.B. No. 199, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 199,

HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1039) recommending that H.B. No. 432, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 432, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ELDERLY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1040) recommending that H.B. No. 437, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 437, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1043) recommending that H.B. No. 814, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 814, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, in strong support of this measure. In an ever-increasing and complicated technology-driven world, we need measures such as HB 814 to protect our citizen's online personal accounts. HB 814 would give protections to employees and students, allowing them to decide who has access to accounts and not the other way around. This is increasingly important when you take into account firewalls and networks that collect data and information from those who use them. Citizens should feel comfortable utilizing the internet to interact without facing consequences or judgements; they should also feel confident that their account information and data is being kept secure and not utilized for any unauthorized reason. 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. 814, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1044) recommending that H.B. No. 852, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 852, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1045) recommending that H.B. No. 669, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 669, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1046) recommending that H.B. No. 1099, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1048) recommending that H.B. No. 1184, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1052) recommending that H.B. No. 1395, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KALIHI 21ST CENTURY COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1053) recommending that H.B. No. 1258, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1258, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1054) recommending that H.B. No. 1248, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1248, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MICROGRIDS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1055) recommending that H.B. No. 1079, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1079, HD 2, entitled: "A BILL FOR AN ACT RELATING TO POST-SECONDARY EDUCATION AUTHORIZATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1056) recommending that H.B. No. 1435, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1435, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND COMPREHENSIVE LOSS REDUCTION

PLAN," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1057) recommending that H.B. No. 1381, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1381, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELEVATOR MECHANICS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1060) recommending that H.B. No. 91, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 91, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1061) recommending that H.B. No. 239, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 239, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1062) recommending that H.B. No. 651, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 651, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT REPORTING AGENCIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1064) recommending that H.B. No. 561, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 561, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1071) recommending that H.B. No. 1566, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1566, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

THIRD READING

H.B. No. 832, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 832, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 164, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 164, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISCLOSURE BY AN ARBITRATOR," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 165, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 165, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 279, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS AND EXPENDITURES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 280, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 280, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANDIDATE COMMITTEE REPORTS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 281, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 281, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FAILURE TO FILE A REPORT WITH THE CAMPAIGN SPENDING COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 289, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 289, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN REPORTING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 302, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 302, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MATERIAL WITNESS ORDERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 463, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII STATE IDENTIFICATION CARDS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 476, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 476, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 511, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOBBYISTS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 954, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 954, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM JURY DUTY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 146, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 146, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE INCOME TAX LAW TO THE FEDERAL INTERNAL REVENUE CODE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 375, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 375, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 670, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 670, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1414, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1414, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 144, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MITIGATION OF HAZARDOUS SITUATIONS STATEWIDE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1478, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1478, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR UNMANNED AERIAL SYSTEM TECHNOLOGIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1588, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1588, HD 1, entitled: "A BILL FOR AN ACT

RELATING TO GENERAL OBLIGATION BONDS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 9:18 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:20 o'clock a.m.

At 9:20 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 50, HD 3
 H.B. No. 1152, HD 1
 H.B. No. 1249, HD 3
 H.B. No. 1006, HD 1
 H.B. No. 850, HD 2
 H.B. No. 1591, HD 2
 H.B. No. 633, HD 1
 H.B. No. 674, HD 2
 H.B. No. 1444, HD 2
 H.B. No. 733, HD 1
 H.B. No. 1516, HD 1
 H.B. No. 946, HD 1
 H.B. No. 232, HD 2
 H.B. No. 1208, HD 2
 H.B. No. 618, HD 2
 H.B. No. 632, HD 1
 H.B. No. 1322, HD 2
 H.B. No. 168, HD 1
 H.B. No. 190, HD 3
 H.B. No. 1580, HD 2
 H.B. No. 1465, HD 2
 H.B. No. 598, HD 2
 H.B. No. 1044, HD 1
 H.B. No. 1326, HD 2
 H.B. No. 1240, HD 2
 H.B. No. 1308, HD 3
 H.B. No. 488, HD 2
 H.B. No. 207, HD 2
 H.B. No. 530, HD 2
 H.B. No. 534, HD 2
 H.B. No. 492, HD 2
 H.B. No. 1436, HD 2
 H.B. No. 1130, HD 1
 H.B. No. 1402, HD 2
 H.B. No. 1484, HD 2
 H.B. No. 177, HD 2
 H.B. No. 199, HD 2
 H.B. No. 432, HD 2
 H.B. No. 437, HD 2
 H.B. No. 814, HD 2
 H.B. No. 852, HD 2
 H.B. No. 669, HD 1
 H.B. No. 1099, HD 1
 H.B. No. 1184, HD 1
 H.B. No. 1395, HD 1
 H.B. No. 1258, HD 2
 H.B. No. 1248, HD 2
 H.B. No. 1079, HD 2
 H.B. No. 1435, HD 2
 H.B. No. 1381, HD 2
 H.B. No. 91, HD 1
 H.B. No. 239, HD 2
 H.B. No. 651, HD 2
 H.B. No. 561, HD 2
 H.B. No. 1566, HD 2

H.B. No. 832, HD 1
 H.B. No. 164, HD 1
 H.B. No. 165, HD 1
 H.B. No. 279, HD 1

H.B. No. 280, HD 1
 H.B. No. 281, HD 1
 H.B. No. 289, HD 1
 H.B. No. 302, HD 1
 H.B. No. 463, HD 1
 H.B. No. 476, HD 1
 H.B. No. 511, HD 1
 H.B. No. 954, HD 1
 H.B. No. 146, HD 1
 H.B. No. 375, HD 1
 H.B. No. 670, HD 1
 H.B. No. 1414, HD 1
 H.B. No. 144, HD 1
 H.B. No. 1478, HD 1
 H.B. No. 1588, HD 1

At this time, the Chair stated:

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

"Members, we will be having a short recess prior to convening the ordinary calendar."

At 9:21 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:38 o'clock a.m.

LATE INTRODUCTIONS

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

Representative Cullen, on behalf of Representative Har and himself, introduced students from Mauka Lani Elementary School Ohana Council: Trinity Sperle, Tiare Pieper-Dilcher, Alexia Mitchell, Hailey Keamo, Darric Abe, Kaila Slate, Sadie-Violet Hanakahi, Dallas Brooks, Reese Takahashi, Jada-Love Jose-Santiago, Andrew Mason, Jr., Chynelle Amodo, Rheiana Tafao, Kailee Chavez, Layson Borling, Romello Smith, Navaeha Naeole, Angelina Roberts, Isabela Liu, Kaila Poaha, Marcus Heide, Bryce Young, Madalyn Balkom, Terra Rife, Anuhea Kawai, Elijah Semeatu, Leon Riel, Makayla Molden, Tyrene Peterson and Isaac Mojica; and chaperones, Loren Rivers and Lindsay Bottoms.

ORDINARY CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

"We're going to take this out of order right now, before we go into the unfinished business."

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1063) recommending that H.B. No. 407, HD 1, as amended in HD 2, pass Third Reading.

At this time, Representative Belatti offered Floor Amendment No. 1, amending H.B. No. 407, HD 2 as follows:

SECTION 1. House Bill No. 407, H.D. 2, is amended by amending Section 8 to read as follows:

"SECTION 8. This Act shall take effect on July 1, 2050, and shall be repealed on June 30, 2022, and section 423D-23, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day prior to enactment of this Act."

On motion by Representative Belatti, seconded by Representative Kobayashi and carried, Floor Amendment No. 1, amending H.B. No. 407, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was adopted, with Representative Ichiyama being excused.

At 9:40 o'clock a.m., the Chair noted that Floor Amendment No. 1 was adopted.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1067) recommending that H.B. No. 1009, HD 1, as amended in HD 2, pass Third Reading.

At this time, Representative Brower offered Floor Amendment No. 3, amending H.B. No. 1009, HD 2 as follows:

SECTION 1. House Bill No. 1009, H.D. 2 is amended by amending Section 3 to read as follows:

"SECTION 3. This Act shall take effect on July 1, 2050."

On motion by Representative Brower, seconded by Representative Nakamura and carried, Floor Amendment No. 3, amending H.B. No. 1009, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," was adopted, with Representative Ichiyama being excused.

At 9:41 o'clock a.m., the Chair noted that Floor Amendment No. 3 was adopted.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1073) recommending that H.B. No. 790, HD 1, as amended in HD 2, pass Third Reading.

At this time, Representative Lee offered Floor Amendment No. 2, amending H.B. No. 790, HD 2 as follows:

SECTION 1. House Bill No. 790, H.D. 2 is amended by amending Section 6 to read as follows:

"SECTION 6. This Act shall take effect on July 1, 2050."

On motion by Representative Lee, seconded by Representative Lowen and carried, Floor Amendment No. 2, amending H.B. No. 790, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was adopted, with Representative Ichiyama being excused.

At 9:42 o'clock a.m., the Chair noted that Floor Amendment No. 2 was adopted.

At this time, the Chair stated:

"Members, we are back on the ordinary calendar. I'm going to call for a short recess subject to the call of the Chair."

At 9:42 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:43 o'clock a.m., with Vice Speaker Mizuno presiding.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 970) recommending that H.B. No. 655, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 655, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ROSE-

RINGED PARAKEET," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 971) recommending that H.B. No. 961, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 961, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just a ruling on a potential conflict. My mother is a farmer. Thank you very much," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 961, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FARMERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 976) recommending that H.B. No. 1584, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1584, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 978) recommending that H.B. No. 912, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 912, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 979) recommending that H.B. No. 1536, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1536, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 980) recommending that H.B. No. 374, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 374, HD 2 pass Third Reading, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 374, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL ASSISTANTS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Tupola voting aye with reservations, with Representative McDermott voting no, and with Representative Ichiyama being excused.

At 9:45 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 655, HD 1
H.B. No. 961, HD 2
H.B. No. 1584, HD 2
H.B. No. 912, HD 2
H.B. No. 1536, HD 2
H.B. No. 374, HD 2

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 983) recommending that H.B. No. 243, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 243, HD 2 pass Third Reading, seconded by Representative Evans.

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

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

"I just would like to declare a conflict of interest. I own condos, and at times I advise board members," and the Chair ruled, "no conflict."

Representative San Buenaventura continued, stating:

"Request that it apply for today and the rest of session," 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 243, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representatives Matsumoto and Ohno voting aye with reservations, and with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 984) recommending that H.B. No. 223, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 223, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Request to declare a conflict. I am a residential landlord, and at times I also represent residential landlords," and the Chair ruled, "no conflict."

Representative San Buenaventura continued, stating:

"And I request that this apply for the rest of the session and for today. Thank you," 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. 223, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 985) recommending that H.B. No. 1301, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1301, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 986) recommending that H.B. No. 1359, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1359, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 988) recommending that H.B. No. 1028, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1028, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, request a ruling on a potential conflict. I work for a nonprofit. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1028, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 989) recommending that H.B. No. 1384, HD 2, as amended in HD 3, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1384, HD 3 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Just with reservations. As long as it stays not as a permanent restriction and still has a sunset date of five years. Thank you very much."

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

"Mr. Speaker, in opposition, brief comment. Mr. Speaker, I had the honor of introducing a couple of first responders in the balcony two or three days ago. They made it very clear to me that this bill is not as draconian as people are making it out to be.

"Basically, it's for those people who live so far away from a fire hydrant that they should have sprinklers for their own well-being. So this is not actually a good bill for those people who are not required who are jeopardizing their lives.

"So the point is, the firemen think this is a very good way of taking responsibilities which are theirs, and they don't do it very often, it's very few people who say you've got to put in a fire sprinkler system.

"So for the sake of what they have said and what they do, and what my colleague has just noted, I have a no vote coming on that one. 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. 1384, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FIRE SPRINKLERS," passed Third

Reading by a vote of 49 ayes to 1 no, with Representative Matsumoto voting aye with reservations, with Representative Ward voting no, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 990) recommending that H.B. No. 192, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 192, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Ruling on a conflict. I'm a member of homeowners' associations, as well as at times I do advise various homeowners' associations," and the Chair ruled, "no conflict."

Representative San Buenaventura continued, stating:

"Request that it apply for today and the rest of session. Thank you," and the Chair "so ordered."

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

"Request for a ruling for a possible conflict of interest. I own several condos, as well as some properties that requires homeowners' associations and planned community associations," and the Chair ruled, "no conflict."

Representative Cachola continued, stating:

"Thank you, and hope this will continue through the rest of the session," 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. 192, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMEOWNERS' ASSOCIATIONS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 9:50 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 243, HD 2
 H.B. No. 223, HD 2
 H.B. No. 1301, HD 2
 H.B. No. 1359, HD 2
 H.B. No. 1028, HD 2
 H.B. No. 1384, HD 3
 H.B. No. 192, HD 2

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 991) recommending that H.B. No. 172, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 172, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE PROPERTY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 992) recommending that H.B. No. 306, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 306, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. Rising in support. On January 7th, I was able to participate in what they call a sobriety checkpoint. This is with Mothers Against Drunk Driving and the HPD, and they had it in the location where somebody died. So four years ago in our community, a teen was killed. The sobriety checkpoint was there at that point and actually, that night, three more people driving under the influence were caught that night.

"I feel like this is a step in the right direction. Some people had concerns that ignition interlock would be repealed. The first-time offenders will still possibly have to do ignition interlock, which could cost about \$900, because you're required to put it into your car. It's about \$90 a month for a whole year.

"But what this continuous alcohol monitoring device does is the offender would actually have to wear it on their ankle for 90 days, and it would measure their alcohol blood levels, because it's meant to curb behavior. And I feel like in my community, because dangerous driving and DUIs happening on Farrington Highway and throughout our community plague our community members and families.

"I really feel like this is a step in a right direction, and I strongly support us making sure that repeat offenders not only have ignition interlock, but also have this continuous alcohol monitoring device to help to curb the behavior that's really destroying a lot of families and has a lot of unintended consequences when people decide that driving under the influence is okay. 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. 306, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTINUOUS ALCOHOL MONITORING FOR REPEAT OFFENDERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 994) recommending that H.B. No. 420, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 420, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, strong support, comments in the Journal, please."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this bill. As most of you know, when leaving a tour of duty with the armed forces, injuries typically go along with the individual. Some of these injuries are visible, some aren't. I believe that with this designation we are not only recognizing the sacrifices of our veterans, but this also serves as an effective tool during a medical emergency, or other instances when an individual's medical history should be consulted."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 420, HD 2, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading by a vote of 50 ayes, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 995) recommending that H.B. No. 606, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 606, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COUNTY ACCESS TO PRIVATE PROPERTY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 996) recommending that H.B. No. 998, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 998, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm rising in support of this measure, but I'd like to make some comments about it. I'm hoping that we'll have some consideration in relation to these comments when the bill moves forward to the Senate. This bill opens up half the State's existing bottomfish restricted fishing areas, and these are areas that are currently off-limits to bottomfishing.

"We need basic rules in place to protect our fisheries. The proponents of the bill and actually the existing law states that we have federal rules already in place that are good enough to protect our fisheries. The problem is, we may not. In the coming months, the coming years.

"The Federal Government sets an annual catch limit for bottomfish species, and that's a total limit on the number of bottomfish that can be caught each year. Once you hit that number, there's no more bottomfishing that year. That's federal, federal regs. And it's a conservative number set yearly by the Western Pacific Regional Fishery Management Council. The council sets an annual catch limit after reviewing science provided by NOAA and after hearing from stakeholders. NOAA, which may be downsized or may be dismantled.

"The council's rules then have to be approved by the secretary of commerce and make it through the federal rule-making process. So the council's rules are enforced by NOAA and the DLNR as well, which helps out where we have directed to do it so. The DLNR, by the way, is a voting member on the council.

"Okay, that process works well, and the bill makes sense. But I ask some questions of the members. What happens if the new federal administration is directed to dismantle these restrictions? What if the secretary of commerce starts refusing to approve new annual catch limits? What happens if NOAA is downsized or dismantled? And then in the future, Mr. Speaker, Hawaii's fisheries could have very little protection left. Our bottomfish stocks could be completely fished out, and the ecosystem could be devastated for future generations.

"So I think what we could do, and I hope this happens as this bill moves forward on the Senate side, we should specify in this bill that if a new federal annual catch limit is not set, Hawaii will re-use the previous annual limit until a new one can be established. Therefore, we're protecting our resource.

"We should also make sure that we have the ability to take over on the state level for the work that NOAA and the Western Pacific Regional Fishery Management Council currently do on the national level, both for NOAA's good work gathering strong scientific evidence and for the council's work at taking that evidence and stakeholder input to set good yearly limits.

"Mr. Speaker, today we cannot rely on the Federal Government to do this for us anymore. So as these kinds of measures move forward, we've got to make sure that we as a state are putting in place laws that will protect our natural resources. This is an excellent bill to do that, and I would ask, on the Senate side or in conference committee, we put those protections in, because we all know that it's a different situation today, and one where the administration is not showing that it cares that much for protecting our natural resources. Thank you."

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

"Strong support, comments into the Journal, please."

Representative Ward's written remarks are as follows:

- "BRFA: Brief History of Bottomfishing Restricted Fishing Areas
 "BF (bottomfish) or Deep 7: Includes onaga, opakapaka, and ehū
 1998: State established 19 BRFA in response to federal concern of potential overfishing
 Study commissioned to quantify biomass of Deep 7 to establish baseline from which to quantify overfishing
 Report to be provided within 5 years
 2005: Federal determination that additional reduction required
 19 BRFA reduced to 12; but, spatial area increased
 2007: Federal determination that further mortality rate reduction required
 Deep 7 fishing "season" initiated. Total allowable catch limit (by weight) established. Stop fishing when limit achieved = annual catch limit (ACL)
 2012: DLNR considered reducing number of BRFA from 12 to 6. Formal processing of a change ceased with change in the administration
 2013: Study published. Insufficient metrics from which to scientifically manage; findings inconclusive
 2015: HFACT (Hawaii Fishermen's Alliance for Conservation and Tradition) formally petitioned DLNR to disestablish BRFA
 2016: DLNR response to petition: "...intend to continue... discussion on the future of the State's bottomfish management scheme ... this year."
 (Later) Informal discussion with DLNR staff indicates the current position on BRFA to be that there will be change if scientific basis warrants

"REMARKS

1. Federal ACL management regime ensures Deep 7 fishery not overfished = sustainable Deep 7 fishing for generations to come.
2. BRFA superfluous to ACL and, after 18 years, absent of peer reviewed scientific evidence that supports retention of BRFA
3. BRFA negatively distort stock assessment of Deep 7 fishery. (Absence of data precludes inclusion of BRFA Deep 7 stock in Deep 7 stock assessment.)
4. Western Pacific Fishery Management Council (WESPAC) and WESPAC SSC (Science and Statistical Committee) support disestablishment of BRFA
5. BRFA program absent:
 - a. A management plan
 - b. Metrics / metrics baseline from which to make management decisions
 - c. Enforcement

"BOTTOM LINE

"We should all support HB 998, which states that any rule restricting fishing of bottomfish ...shall include citation to peer-reviewed scientific evidence that establishes the environmental necessity of the rule. Any rule that does not comply with this section shall be void.

"Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support. I'd like to thank the Chair of Ocean, Marine Resources, & Hawaiian Affairs for hearing the bill and addressing some of the concerns that came up in the committee. Thank you very much."

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

"Thank you, Mr. Speaker. In strong support, permission to enter comments in the Journal."

Representative Tupola's written remarks are as follows:

"I support this bill and wanted to highlight some of the testimony submitted by fishermen for the record.

The Hunting, Farming and Fishing Association strongly supports the intent of the bill as proposed in the original version of the bill, but not as amended in HD1. The bottom fishermen have tackled with these closers for over a decade and have exhausted all efforts with DLNR to open areas that should not have been closed. The original version of this bill was altered and needs to be reverted back to its original version. The excerpt below is taken from Uncle Roy (Bottom Fisherman). We, the hunting, farming and fishing association, stand alongside the bottom fishing community.

I humbly request that the committee review HB998HD1 as amended by the House Committee on OMH as it affirms the failure of the DLNR to continue the restriction the fishing for deep 7 bottomfish with the BRFA, but contradicts its findings by allowing all but six BRFA to remain closed absent a "validated scientific basis." HB998HD1 as amended by the House Committee on OMH acknowledges that the DLNR has failed to establish a "validated scientific basis" to support the BRFA.

HB998HD1 Section 1, paragraph 2 states: "The legislature further finds that the bottomfish that are subject to fishing regulations in the Hawaii Administrative Rules are no longer being overfished, and that the department of land and natural resources has not established a validated scientific basis upon which to continue restricting the fishing of bottomfish."

HB998HD1 Section 1, paragraph 3 states: "The purpose of this Act is to direct the Division of Aquatic Resources to allow fishing in six of the bottomfish restricted fishing areas, where bottomfish is currently prohibited, and to ensure that regulations on the fishing of bottomfish are supported by scientific evidence."

This bill is predicated on using the science as biological basis for justifying management measures. For this to hold true, Paragraph 3 cannot call for the removal of only 6 BRFA because the "DLNR has not established a validated scientific basis upon which to continue restricting the fishing of bottomfish." Therefore, all BRFA should be removed.

HB998HD1 Section 2 states: "The Department of natural Resources shall allow bottomfish fishing in six of the existing bottomfish restricted fishing areas where the restriction is not supported by scientific evidence of environmental necessity. The Department shall also amend its rules on "Bottomfish Management" to include scientific information of environmental necessity as one of the criteria used to restrict a fishing area."

Please note that in the first sentence the term "scientific evidence" is used and the second sentence only requires "scientific information." The standards for scientific evidence are generally based on the results of statistical analysis, the strength of scientific controls and peer review. To simply require "scientific information" fails to rise to the level of justification and review required by scientific evidence.

The broad term "environmental necessity" with the exception of those essential for the deep 7 was not a criterion for the creation of the BRFA that specifically addressed a federal statute of spawning potential ratio (SPR). The SPR was superseded by annual catch limit (ACL) and a component in the stock assessment and peer reviewed process used in the establishment of the annual catch limit. To include such language in the bottomfish management rule ill-considered as it could changes the rationale in creating the BRFA.

"Thank you."

Representative LoPresti 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. 998, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BOTTOMFISH," passed Third Reading

by a vote of 50 ayes, with Representative LoPresti voting aye with reservations, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 997) recommending that H.B. No. 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 2, HD 2 pass Third Reading, seconded by Representative Evans.

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

Representative 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. 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 49 ayes to 1 no, with Representatives Thielen and Tupola voting aye with reservations, with Representative LoPresti voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1000) recommending that H.B. No. 1415, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1415, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 9:59 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 172, HD 2
 H.B. No. 306, HD 2
 H.B. No. 420, HD 2
 H.B. No. 606, HD 2
 H.B. No. 998, HD 2
 H.B. No. 2, HD 2
 H.B. No. 1415, HD 2

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1003) recommending that H.B. No. 558, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 558, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REPEAL OF SECTION 325-15, HAWAII REVISED STATUTES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1007) recommending that H.B. No. 997, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 997, HD 2 pass Third Reading, seconded by Representative Evans.

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

"With reservations. Just some concerns if we pursue this path that we might not have as much transparency. Thank you."

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

"Same concern, Mr. Speaker, with reservations. It's good to be able to negotiate a good contract. The art of the deal is really important, because the cash cow that we have with the concessions at the airport is a really, really big income.

"The only thing is, how do we prevent this from cronyism and other deal-making which would be under the table? So it's good, but it doesn't have any safeguards, if you will, in case it gets out of hand. 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. 997, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS," passed Third Reading by a vote of 50 ayes, with Representatives Tupola and Ward voting aye with reservations, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1019) recommending that H.B. No. 660, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 660, HD 2 pass Third Reading, seconded by Representative Evans.

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

"In strong support. Just a quick comment. Last year we did pass Act 132, and HHFDC did testify that because we just implemented that and it was a similar revolving fund, that they're actually in the process of doing the rulemaking, just submitted it, and so this is just duplicative. And I think as it moves forward that we should consider that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 660, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN INFRASTRUCTURE DEVELOPMENT LOAN REVOLVING FUND," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1020) recommending that H.B. No. 1179, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1179, HD 2 pass Third Reading, seconded by Representative Evans.

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

"In support, Mr. Speaker. I support it, however, my support is conditional. It's conditional, I'll get to the condition. I want to share with everyone the evolution of my thoughts on this bill. Because at first when I heard about it, I thought it was a noble idea that some of the workers would willingly take a pay cut to hopefully result in cheaper houses.

"But shortly thereafter I began to think, since when did labor unions begin to push for free-market solutions by reducing the pay of their workforce? I thought that was kind of strange, and it would result in a direct increase in the profits for the rich developers and the general contractors, perhaps.

"So I had some conversations, and at Finance we heard this bill and I brought up this concern, and I was happy to hear that the labor unions were in discussions with those other parties to see that they, too, would take some sort of a pay cut.

"So my support's conditional in the sense that I don't think we should be putting workers in a situation where, they're already in a situation where they're building units they can't afford, and unless they get a commitment that the developers and the contractors are all going to take a cut, too, I don't think we should support something that's going to just result in them getting paid less to do the same work.

"The free market in Hawaii has failed to produce real affordable housing, genuine affordable housing, and I don't think the solution is to just trust that the wealthy guys are going to do what's right by us, and what's right by the people. This is the people's house, and I think we ought to be having stronger requirements on affordable housing, that they shall do this, and they shall do that, instead of just, again, trying a failed free-market approach on this. We need to be more aggressive. 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. 1179, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1021) recommending that H.B. No. 14, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 14, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KEKAHA KAI STATE PARK," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1022) recommending that H.B. No. 423, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 423, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Ruling on a conflict. My husband works in the film industry," and the Chair ruled, "no conflict."

Representative San Buenaventura continued, stating:

"For today and the rest of the session? Thank you," 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. 423, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FILM AND DIGITAL MEDIA INDUSTRY DEVELOPMENT," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Choy voting no, and with Representative Ichiyama being excused.

At 10:04 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 558, HD 1
H.B. No. 997, HD 2
H.B. No. 660, HD 2
H.B. No. 1179, HD 2
H.B. No. 14, HD 1
H.B. No. 423, HD 2

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1023) recommending that H.B. No. 574, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 574, HD 2 pass Third Reading, seconded by Representative Evans.

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

"With reservations. Prior to this version, there was an excise tax for basalt rock, and if that comes back, I'll definitely go no. But for now, just reservations. Thank you."

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

"Same request, with reservations. And Mr. Speaker, there's got to be a better way to finance space travel than the way that this one is proposing. It's going to increase the cost of the housing, it's just not a good idea. Thank you."

Representative Cachola 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. 574, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PACIFIC INTERNATIONAL SPACE CENTER FOR EXPLORATION SYSTEMS," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Cachola, Tupola and Ward voting aye with reservations, with Representatives McDermott and Thielen voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1025) recommending that H.B. No. 1508, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1508, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1027) recommending that H.B. No. 1246, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1246, HD 2 pass Third Reading, seconded by Representative Evans.

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

"With reservations. I'm confused. When I read through this bill, I know it changed quite a few times, and in this last version it changes one section that has electronic monitoring devices from house arrest, and I think one other thing down to line four, which now means all alternative programs can use this.

"If we're trying to reduce the prison population, and we're trying to use perhaps the GPS system to track people where they're in alternative programs but not actually in prison, then we should probably specify that. But as of right now, I don't really know what the intent of this bill is, so I just have reservations. Thank you."

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

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise with strong reservations on HB 1246, HD 2. HB 1246 seeks to alleviate our state's overcrowding in prisons by authorizing electronic monitoring and surveillance of offenders in programs that offer alternatives to incarceration. While I wish to address the problems our prisons face, I have very serious concerns with this bill.

"The issue that I have with this bill stems from the lack of electronic monitoring while a criminal offender is on house arrest. Subsection (d) (1) of this measure proposes one form of alternative programs to include 'home detention, curfew' while striking out electronic monitoring or surveillance. Without electronic monitoring in conjunction with home arrest, public safety has no way of knowing whether the offender is complying with the terms of the house arrest. Therefore, in essence, this section is tantamount to an offender being released on recognizance and NOT being incarcerated on house arrest.

"While overcrowding in our prisons is an issue, the safety of our public is paramount, so without electronic monitoring in conjunction with house arrest, there is no assurance that the offender is accountable. Accordingly, I vote with strong reservations on this measure."

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. 1246, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ALTERNATIVES TO INCARCERATION," passed Third Reading by a vote of 49 ayes to 1 no, with Representatives Har, Matsumoto and Tupola voting aye with reservations, with Representative Thielen voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1028) recommending that H.B. No. 462, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 462, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, please record my reservations. I would like to express my appreciation for the Finance Chair for taking out all references to Waiiawa prison. Thank you."

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

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

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

Representative Takayama's written remarks are as follows:

"Mr. Speaker, no one wants to build prisons and jails—they're expensive, costly to operate, and nobody wants to live near them. There is only one reason to build them: when we decide to lock up people, we're responsible for treating them humanely and giving them a chance to return to society as productive, law-abiding citizens. We're failing that responsibility.

"The newest correctional facility in Hawaii opened at Halawa nearly 30 years ago, when our inmate count was about 2,400. Since then, our incarcerated population has more than doubled, to about 6,000. Many other states accelerated prison construction to accommodate 'tough on crime' initiatives in the 1990s that swelled inmate populations, but Hawaii never did that.

"Hawaii instead copes by cramming three or four inmates into cells meant for two, shipping 1,400 inmates to a privately-run Arizona prison at a cost of more than \$40 million a year, and renting about 160 cells in the

Honolulu Federal Detention Center at a cost of about \$120 per person per day.

"HB 462 proposes to explore the possibility of bringing back the Arizona inmates and also solve the need to replace the outdated Oahu Community Correctional Center (OCCC) by moving it out of Kalihi into a larger facility.

"HB 462 suggests the state Department of Public Safety obtain cost estimates for building a new correctional facility that can accommodate the 1,100 inmates at Halawa Correctional Facility plus those in Arizona. This would enable OCCC to move into the vacated Halawa Correctional Facility.

"The new facility would be designed to house the full range of inmates, from maximum security to minimum or community custody levels. Housing units would reflect their security levels and provide inmates opportunities for job training, education, and rehabilitation programs.

"The State's current site selection process for a new OCCC estimates the cost of building a new jail at \$500 to \$800 million. For such a huge amount of money, we should consider other options that enable us to return the Arizona inmates from 3,000 miles away, improve their chances for rehabilitation by being closer to home, and spend our tax dollars here in Hawaii.

"The site selection group uncovered at least 11 sites around Oahu suitable for a correctional facility of the needed size.

"Some claim we can avoid building new facilities by diverting pre-trial detainees to drug treatment and mental health programs or community service. We should implement such programs, but we would have to reduce our entire incarcerated population by more than half to scale back to the capacity our jails and prisons were designed for several decades ago.

"Mr. Speaker, the rhetoric of those who oppose prison construction is: 'Programs not prisons.' The reality is we need both.

"For all those reasons, I ask my colleagues to support HB 462."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 462, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL FACILITIES," passed Third Reading by a vote of 50 ayes, with Representatives Fukumoto, Matsumoto and Yamane voting aye with reservations, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1029) recommending that H.B. No. 1098, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1098, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS SHELTERS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1030) recommending that H.B. No. 1396, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1396, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 10:08 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 574, HD 2
H.B. No. 1508, HD 2
H.B. No. 1246, HD 2

H.B. No. 462, HD 2
 H.B. No. 1098, HD 2
 H.B. No. 1396, HD 2

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1032) recommending that H.B. No. 1135, as amended in HD 1, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1135, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ward voting no, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1033) recommending that H.B. No. 1501, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1501, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In opposition. If we're talking about trying to pass bills to decrease the prison population, last year, for the edification of the members who weren't here when we passed the penal code bill, HB 2561 actually addressed repeat offenders for drug paraphernalia so that it wasn't mandatory that they be put into prison, and actually, slowly, that's affecting the amount of the prison population because the repeat offenders was really what the issue was.

"So this is suggesting that on drug paraphernalia that it be charged as a violation which, in fact most of the time when somebody does have drug paraphernalia, there's drugs inside, so they get charged for PDD 3, which is possession of a dangerous drug in the third degree. So that, together, is both felonies, as of right now.

"So making the drug paraphernalia into a violation, a criminal, I guess, violation, not a civil, that would actually make it go to district court, they'd have to appear in court, and it says here maybe they'd have a fine of \$100, depends.

"So those two things maybe in one offense would be separated, because the felony would still go to circuit court. So they'd go there, but if one of the two offset each other, then both of the cases would be thrown out. So say, for example, we do pursue this, how many people really don't go to prison now because of this drug paraphernalia? Very few.

"We're not taking anybody out of prison, because say in the event that they don't want to press charges for the drug possession, then they can go to the PDD 3 or, most of the time, they're operating a motorized vehicle without permission, or they're driving one under the influence, so many other charges would be then superseded and this would be put down to the bottom.

"I'm just saying that, PSD submitted numbers, 109 people with drug paraphernalia as their number one, I guess their leading charge, when really right now that and PDD 3 are actually most of the time put together, so it's not sure if that's really the leading charge.

"Long story short, what I'm trying to say, if we're trying to affect how many people are in prison, this is probably not the way to do it. And if we're trying to decriminalize drugs, which I'm not for, then I'm definitely voting no against this. But I'm still concerned that this will just complicate a system, put possibly two offenses on two separate tracks, and not really do anything as far as decreasing the amount of prison inmates. Thank you."

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

"Mr. Speaker, in opposition. In addition to my colleague's remarks against this bill, I would add, I take it from more of a sociological-anthropological-cultural point of view.

"This is going to enable the youth culture, which already is into the drug culture. This is going to make a pass on some of these things that are now illegal to where it's a slap on the wrist.

"We are enabling a group of our youth who right now are already double the number of suicides. Drugs obviously increase that. And, Mr. Speaker, I don't think this is going to lead to anything any good. 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. 1501, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRUG PARAPHERNALIA," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Har, Matsumoto, Oshiro, Tupola and Ward voting no, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1034) recommending that H.B. No. 1172, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1172, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1041) recommending that H.B. No. 725, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 725, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1042) recommending that H.B. No. 773, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 773, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1047) recommending that H.B. No. 727, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 727, HD 1 pass Third Reading, seconded by Representative Evans.

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

"In opposition. So, DOT testified against this bill because they're currently narrowing lanes in areas where they want to add a lane but can't expand the freeway. So in Waianae they've done this because they're doing a turn lane project, but their concern, which is my concern, is if motorcycles go in between, even during traffic there's very little space. Cars still today hit each other when they pass lanes because they're too narrow.

"So those are my comments in opposition, and I hope it doesn't pass because, for the safety of our drivers and our community members, this isn't a good bill. Thank you."

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

"Thank you, Mr. Speaker. With reservations. And I mentioned in the hearing that if this measure were to pass, shouldn't helmets be required, because the difficulty is that if we have everyone in closer proximity, there may be more chances of people being hit and then falling to the ground.

"So, that didn't go very far, and I know it's been a controversial question through the years about should helmets be required, but I thought the two should be coupled. And so I'm with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 727, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representative Thielen voting aye with reservations, with Representatives Tupola and Ward voting no, and with Representative Ichiyama being excused.

At 10:14 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1135, HD 1
H.B. No. 1501, HD 2
H.B. No. 1172, HD 2
H.B. No. 725, HD 2
H.B. No. 773, HD 2
H.B. No. 727, HD 1

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1049) recommending that H.B. No. 1115, HD 1 pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 1115, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1050) recommending that H.B. No. 1534, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1534, HD 1 pass Third Reading, seconded by Representative Evans.

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

"With reservations. I think it's a good thing that the department heads actually have to live here for a year and experience Hawaii and determine if they want to stay or not.

"I know HPD said if this wasn't here they could possibly expand their search for a chief of police, but still, coming to Hawaii and trying to live in the environment we have here, the way the laws are, it would possibly help us to retain some of these county heads, department heads that we get to apply and move here. So, with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1534, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENCE REQUIREMENTS FOR APPOINTED OFFICERS," passed Third Reading by a vote of 50 ayes, with Representative Tupola voting aye with reservations, and with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1051) recommending that H.B. No. 1489, HD 1 pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1489, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, three very brief comments. The first two, procedural. This bill comes out of truly the Women's Legislative Caucus, although it did not make it into the official package because it was something that was introduced in the final days of bill introduction, coming out inspired in large part by the Women's March that occurred on all islands.

"The second procedural note is that, though we recognize that this is a Women's Legislative Caucus bill, we understand that really it's our male allies in this body that help us move along these important types of statutes, so I do want to acknowledge the leadership of the Chair of Labor and the Chair of Judiciary who helped move this bill along.

"My third and final comment speaks to the substance of this bill. Hawaii has a long tradition of fostering diversity and equality in all aspects of public life. This long tradition goes back to 1819, when Queen Kaahumanu, as the *kuhina nui*, or prime minister, named upon the death of Kamehameha the Great, sat down with the then-king Liholiho and Liholiho's mother to break the *kapu* which did not allow men and women to eat together. That is how far back our tradition of equality goes.

"We have to work towards ensuring that equality and, in more recent times, we've had women like Patsy T. Mink who have fought for Title IX protections. At this time, when we are seeing the erosion of gender protections, of equality and diversity in our federal programs, it is so critical that we take this stand, and that Hawaii become a beacon for tolerance, diversity and equality. Mr. Speaker, in strong support of this bill, and I thank my colleagues for supporting this."

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

"In strong support. Permission to insert the words of the previous speaker into the Journal as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

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

Representative McDermott's written remarks are as follows:

"I have grave reservations regarding HB 1489, HD 1, Relating to Civil Rights. First let me say that I think discrimination is evil ... period.

"That said we are adding 'Gender Identity or Gender Identity Expression' to the protected classes of folks, along with race, etc. First and foremost, this is a behavioral issue and not a benign genetic trait; it is the acting out of individuals in a manner that is at odds with reality.

"However, since we are in a state dominated by the left, this behavior needs to be put in statute and codified by building a body of law to support this rare anomaly. Should an adult man be allowed to use the same restroom as my 13 year old daughter at the mall? The left would say yes if his 'Gender Identity' is that of a woman. What the male is doing is pretending ... pretending. Now, we must all go along with his or her disorder or fantasy.

"The following is part of an exhaustive report written by Lawrence SI. Mayer, M.B., M.S., Ph.D., and Paul McHugh. Both were on the staff at John Hopkins University. They find there is no biological cause for this behavior, thus we can assume that it is correctly identified as a psychological disorder."

Representative McDermott submitted the following *The New Atlantis* article:

Part Three: Gender Identity

Lawrence S. Mayer, Paul R. McHugh

The concept of biological sex is well defined, based on the binary roles that males and females play in reproduction. By contrast, the concept of gender is not well defined. It is generally taken to refer to behaviors and psychological attributes that tend to be typical of a given sex. Some individuals identify as a gender that does not correspond to their biological sex. The causes of such cross-gender identification remain poorly understood. Research investigating whether these transgender individuals have certain physiological features or experiences in common with the opposite sex, such as brain structures or atypical prenatal hormone exposures, has so far been inconclusive. Gender dysphoria — a sense of incongruence between one's biological sex and one's gender, accompanied by clinically significant distress or impairment — is sometimes treated in adults by hormones or surgery, but there is little scientific evidence that these therapeutic interventions have psychological benefits. Science has shown that gender identity issues in children usually do not persist into adolescence or adulthood, and there is little scientific evidence for the therapeutic value of puberty-delaying treatments. We are concerned by the increasing tendency toward encouraging children with gender identity issues to transition to their preferred gender through medical and then surgical procedures. There is a clear need for more research in these areas.

As described in Part One, there is a widely held belief that *sexual orientation* is a well-defined concept, and that it is innate and fixed in each person — as it is often put, gay people are "born that way." Another emerging and related view is that *gender identity* — the subjective, internal sense of being a man or a woman (or some other gender category) — is also fixed at birth or at a very early age and can diverge from a person's biological sex. In the case of children, this is sometimes articulated by saying that a little boy may be trapped in a little girl's body, or vice versa.

In Part One we argued that scientific research does not give much support to the hypothesis that sexual orientation is innate and fixed. We will argue here, similarly, that there is little scientific evidence that gender identity is fixed at birth or at an early age. Though biological sex is innate, and gender identity and biological sex are related in complex ways, they are not identical; gender is sometimes defined or expressed in ways that have little or no biological basis.

Key Concepts and Their Origins

To clarify what is meant by "gender" and "sex," we begin with a widely used definition, here quoted from a pamphlet published by the American Psychological Association (APA):

Sex is assigned at birth, refers to one's biological status as either male or female, and is associated primarily with physical attributes such as chromosomes, hormone prevalence, and external and internal anatomy. Gender refers to the socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate for boys and men or girls and women. These influence the ways that people act, interact, and feel about themselves. While aspects of biological sex are similar across different cultures, aspects of gender may differ.^[1]

This definition points to the obvious fact that there are social norms for men and women, norms that vary across different cultures and that are not simply determined by biology. But it goes further in holding that gender is wholly "socially constructed" — that it is detached from biological sex. This idea has been an important part of a feminist movement to reform or eliminate traditional gender roles. In the classic feminist book *The Second Sex* (1949), Simone de Beauvoir wrote that "one is not born, but becomes a woman."^[2] This notion is an early version of the now familiar distinction between sex as a biological designation and gender as a cultural construct: though one is born, as the APA explains, with the "chromosomes, hormone prevalence, and external and internal anatomy" of a female, one is socially conditioned to take on the "roles, behaviors, activities, and attributes" of a woman.

Developments in feminist theory in the second half of the twentieth century further solidified the position that gender is socially constructed. One of the first to use the term "gender" as distinct from sex in the social-science literature was Ann Oakley in her 1972 book, *Sex, Gender and Society*.^[3] In the 1978 book *Gender: An Ethnomethodological Approach*, psychology professors Suzanne Kessler and Wendy McKenna argued that "gender is a social construction, that a world of two 'sexes' is a result of the socially shared, taken for granted methods which members use to construct reality."^[4]

Anthropologist Gayle Rubin expresses a similar view, writing in 1975 that "Gender is a socially imposed division of the sexes. It is a product of the social relations of sexuality."^[5] According to her argument, if it were not for this social imposition, we would still have males and females but not "men" and "women." Furthermore, Rubin argues, if traditional gender roles are socially constructed, then they can also be deconstructed, and we can eliminate "obligatory sexualities and sex roles" and create "an androgynous and genderless (though not sexless)

society, in which one's sexual anatomy is irrelevant to who one is, what one does, and with whom one makes love."^[6]

The relationship between gender theory and the deconstruction or overthrowing of traditional gender roles is made even clearer in the works of the influential feminist theorist Judith Butler. In works such as *Gender Trouble: Feminism and the Subversion of Identity* (1990)^[7] and *Undoing Gender* (2004)^[8] Butler advances what she describes as "performativity theory," according to which being a woman or man is not something that one *is* but something that one *does*. "Gender is neither the causal result of sex nor as seemingly fixed as sex," as she put it.^[9] Rather, gender is a constructed status radically independent from biology or bodily traits, "a free floating artifice, with the consequence that *man* and *masculine* might just as easily signify a female body as a male one, and *woman* and *feminine* a male body as easily as a female one."^[10]

This view, that gender and thus gender identity are fluid and plastic, and not necessarily binary, has recently become more prominent in popular culture. An example is Facebook's move in 2014 to include 56 new ways for users to describe their gender, in addition to the options of male and female. As Facebook explains, the new options allow the user to "feel comfortable being your true, authentic self," an important part of which is "the expression of gender."^[11] Options include *agender*, several *cis-* and *trans-* variants, *gender fluid*, *gender questioning*, *neither*, *other*, *pangender*, and *two-spirit*.^[12]

Whether or not Judith Butler was correct in describing traditional gender roles of men and women as "performative," her theory of gender as a "free-floating artifice" does seem to describe this new taxonomy of gender. As these terms multiply and their meanings become more individualized, we lose any common set of criteria for defining what gender distinctions mean. If gender is entirely detached from the binary of biological sex, gender could come to refer to any distinctions in behavior, biological attributes, or psychological traits, and each person could have a gender defined by the unique combination of characteristics the person possesses. This *reductio ad absurdum* is offered to present the possibility that defining gender too broadly could lead to a definition that has little meaning.

Alternatively, gender identity could be defined in terms of sex-typical traits and behaviors, so that being a boy means behaving in the ways boys typically behave — such as engaging in rough-and-tumble play and expressing an interest in sports and liking toy guns more than dolls. But this would imply that a boy who plays with dolls, hates guns, and refrains from sports or rough-and-tumble play might be considered to be a girl, rather than simply a boy who represents an exception to the typical patterns of male behavior. The ability to recognize exceptions to sex-typical behavior relies on an understanding of maleness and femaleness that is independent of these stereotypical sex-appropriate behaviors. The underlying basis of maleness and femaleness is the distinction between the reproductive roles of the sexes; in mammals such as humans, the female gestates offspring and the male impregnates the female. More universally, the male of the species fertilizes the egg cells provided by the female of the species. This conceptual basis for sex roles is binary and stable, and allows us to distinguish males from females on the grounds of their reproductive systems, even when these individuals exhibit behaviors that are not typical of males or females.

To illustrate how reproductive roles define the differences between the sexes even when behavior appears to be atypical for the particular sex, consider two examples, one from the diversity of the animal kingdom, and one from the diversity of human behavior. First, we look at the emperor penguin. Male emperor penguins provide more care for eggs than do females, and in this sense, the male emperor penguin could be described as more maternal than the female.^[13] However, we recognize that the male emperor penguin is not in fact female but rather that the species represents an exception to the general, but not universal, tendency among animals for females to provide more care than males for offspring. We recognize this because sex-typical behaviors like parental care do not define the sexes; the individual's role in sexual reproduction does.

Even other sex-typical biological traits, such as chromosomes, are not necessarily helpful for defining sex in a universal way, as the penguin example further illustrates. As with other birds, the genetics of sex determination in the emperor penguin is different than the genetics of sex determination in mammals and many other animals. In humans, males have XY chromosomes and females have XX chromosomes; that is, males have a unique sex-determining chromosome that they do not share with females, while females have two copies of a chromosome that they share with males. But in birds, it is females, not males, that have and pass on the sex-specific chromosome.^[14] Just as the observation that male emperor penguins nurture their offspring more than their partners did not lead zoologists to conclude that the egg-laying member of the emperor penguin species was in fact the male, the discovery of the ZW sex-determination system in birds did not lead geneticists to challenge the age-old recognition that hens are females and roosters are males. The only variable that serves as the fundamental and reliable basis for biologists to distinguish the sexes of animals is their role in reproduction, not some other behavioral or biological trait.

Another example that, in this case, only appears to be non-sex-typical behavior is that of Thomas Beatie, who made headlines as a man who gave birth to three children between 2008 and 2010.^[15] Thomas Beatie was born a woman, Tracy Lehuani LaGondino, and underwent a surgical and legal transition to living as a man before deciding to have children. Because the medical procedures he

underwent did not involve the removal of his ovaries or uterus, Beatie was capable of bearing children. The state of Arizona recognizes Thomas Beatie as the father of his three children, even though, biologically, he is their mother. Unlike the case of the male emperor penguin's ostensibly maternal, "feminine" parenting behavior, Beatie's ability to have children does not represent an exception to the normal inability of males to bear children. The labeling of Beatie as a man despite his being biologically female is a personal, social, and legal decision that was made without any basis in biology; nothing whatsoever in biology suggests Thomas Beatie is a male.

In biology, an organism is male or female if it is structured to perform one of the respective roles in reproduction. This definition does not require any arbitrary measurable or quantifiable physical characteristics or behaviors; it requires understanding the reproductive system and the reproduction process. Different animals have different reproductive systems, but sexual reproduction occurs when the sex cells from the male and female of the species come together to form newly fertilized embryos. It is these reproductive roles that provide the conceptual basis for the differentiation of animals into the biological categories of male and female. There is no other widely accepted biological classification for the sexes.

But this definition of the biological category of sex is not universally accepted. For example, philosopher and legal scholar Edward Stein maintains that infertility poses a crucial problem for defining sex in terms of reproductive roles, writing that defining sex in terms of these roles would define "infertile males as females."^[16] Since an infertile male cannot play the reproductive role for which males are structured, and an infertile female cannot play the reproductive role for which females are structured, according to this line of thinking, defining sex in terms of reproductive roles would not be appropriate, as infertile males would be classified as females, and infertile females as males. Nevertheless, while a reproductive system structured to serve a particular reproductive role may be impaired in such a way that it cannot perform its function, the system is still recognizably structured for that role, so that biological sex can still be defined strictly in terms of the structure of reproductive systems. A similar point can be made about heterosexual couples who choose not to reproduce for any of a variety of reasons. The male and female reproductive systems are generally clearly recognizable, regardless of whether or not they are being used for purposes of reproduction.

The following analogy illustrates how a system can be recognized as having a particular purpose, even when that system is dysfunctional in a way that renders it incapable of carrying out its purpose: Eyes are complex organs that function as processors of vision. However, there are numerous conditions affecting the eye that can impair vision, resulting in blindness. The eyes of the blind are still recognizably organs structured for the function of sight. Any impairments that result in blindness do not affect the purpose of the eye — any more than wearing a blindfold — but only its function. The same is true for the reproductive system. Infertility can be caused by many problems. However, the reproductive system continues to exist for the purpose of begetting children.

There are individuals, however, who are biologically "intersex," meaning that their sexual anatomy is ambiguous, usually for reasons of genetic abnormalities. For example, the clitoris and penis are derived from the same embryonic structures. A baby may display an abnormally large clitoris or an abnormally small penis, causing its biological sex to be difficult to determine long after birth.

The first academic article to use the term "gender" appears to be the 1955 paper by the psychiatry professor John Money of Johns Hopkins on the treatment of "intersex" children (the term then used was "hermaphrodites").^[17] Money posited that gender identity, at least for these children, was fluid and that it could be constructed. In his mind, making a child identify with a gender only required constructing sex-typical genitalia and creating a gender-appropriate environment for the child. The chosen gender for these children was often female — a decision that was not based on genetics or biology, nor on the belief that these children were "really" girls, but, in part, on the fact that at the time it was easier surgically to construct a vagina than it was to construct a penis.

The most widely known patient of Dr. Money was David Reimer, a boy who was not born with an intersex condition but whose penis was damaged during circumcision as an infant.^[18] David was raised by his parents as a girl named Brenda, and provided with both surgical and hormonal interventions to ensure that he would develop female-typical sex characteristics. However, the attempt to conceal from the child what had happened to him was not successful — he self-identified as a boy, and eventually, at the age of 14, his psychiatrist recommended to his parents that they tell him the truth. David then began the difficult process of reversing the hormonal and surgical interventions that had been performed to feminize his body. But he continued to be tormented by his childhood ordeal, and took his own life in 2004, at the age of 38.

David Reimer is just one example of the harm wrought by theories that gender identity can socially and medically be reassigned in children. In a 2004 paper, William G. Reiner, a pediatric urologist and child and adolescent psychiatrist, and John P. Gearhart, a professor of pediatric urology, followed up on the sexual identities of 16 genetic males affected by cloacal exstrophy — a condition involving a badly deformed bladder and genitals. Of the 16 subjects, 14 were assigned female sex at birth, receiving surgical interventions to construct female genitalia, and were raised as girls by their parents; 6 of these 14 later chose to

identify as males, while 5 continued to identify as females and 2 declared themselves males at a young age but continued to be raised as females because their parents rejected the children's declarations. The remaining subject, who had been told at age 12 that he was born male, refused to discuss sexual identity.^[19] So the assignment of female sex persisted in only 5 of the 13 cases with known results.

This lack of persistence is some evidence that the assignment of sex through genital construction at birth with immersion into a "gender-appropriate" environment is not likely to be a successful option for managing the rare problem of genital ambiguity from birth defects. It is important to note that the ages of these individuals at last follow-up ranged from 9 to 19, so it is possible that some of them may have subsequently changed their gender identities.

Reiner and Gearhart's research indicates that gender is not arbitrary; it suggests that a biological male (or female) will probably not come to identify as the opposite gender after having been altered physically and immersed into the corresponding gender-typical environment. The plasticity of gender appears to have a limit.

What is clear is that biological sex is not a concept that can be reduced to, or artificially assigned on the basis of, the type of external genitalia alone. Surgeons are becoming more capable of constructing artificial genitalia, but these "add-ons" do not change the biological sex of the recipients, who are no more capable of playing the reproductive roles of the opposite biological sex than they were without the surgery. Nor does biological sex change as a function of the environment provided for the child. No degree of supporting a little boy in converting to be considered, by himself and others, to be a little girl makes him biologically a little girl. The scientific definition of biological sex is, for almost all human beings, clear, binary, and stable, reflecting an underlying biological reality that is not contradicted by exceptions to sex-typical behavior, and cannot be altered by surgery or social conditioning.

In a 2004 article summarizing the results of research related to intersex conditions, Paul McHugh, the former chief of psychiatry at Johns Hopkins Hospital (and the coauthor of this report), suggested:

We in the Johns Hopkins Psychiatry Department eventually concluded that human sexual identity is mostly built into our constitution by the genes we inherit and the embryogenesis we undergo. Male hormones sexualize the brain and the mind. Sexual dysphoria — a sense of disquiet in one's sexual role — naturally occurs amongst those rare males who are raised as females in an effort to correct an infantile genital structural problem.^[20]

We now turn our attention to transgender individuals — children and adults — who choose to identify as a gender different from their biological sex, and explore the meaning of gender identity in this context and what the scientific literature tells us about its development.

Gender Dysphoria

While biological sex is, with very few exceptions, a well-defined, binary trait (male versus female) corresponding to how the body is organized for reproduction, *gender identity* is a more subjective attribute. For most people, their own gender identity is probably not a significant concern; most biological males identify as boys or men, and most biological females identify as girls or women. But some individuals experience an incongruence between their biological sex and their gender identity. If this struggle causes them to seek professional help, then the problem is classified as "gender dysphoria."

Some male children raised as females, as described in Reiner and colleagues' 2004 study, came to experience problems with their gender identity when their subjective sense of being boys conflicted with being identified and treated as girls by their parents and doctors. The biological sex of the boys was not in question (they had an XY genotype), and the cause of gender dysphoria lay in the fact that they were genetically male, came to identify as male, but had been assigned female gender identities. This suggests that gender identity can be a complex and burdensome issue for those who choose (or have others choose for them) a gender identity opposite their biological sex.

But the cases of gender dysphoria that are the subject of much public debate are those in which individuals come to identify as genders different from those based on their biological sex. These people are usually identified, and describe themselves, as "transgender."^[1]

According to the fifth edition of the American Psychiatric Association's *Diagnostic and Statistical Manual of Mental Disorders (DSM-5)*, gender dysphoria is marked by "incongruence between one's experienced/expressed gender and assigned gender," as well as "clinically significant distress or impairment in social, occupational, or other important areas of functioning."^[21]

It is important to clarify that gender dysphoria is not the same as gender nonconformity or gender identity disorder. Gender nonconformity describes an individual who behaves in a manner contrary to the gender-specific norms of his or her biological sex. As the *DSM-5* notes, most transvestites, for instance, are not transgender — men who dress as women typically do not identify themselves as women.^[22] (However, certain forms of transvestitism can be associated with late-onset gender dysphoria.^[23])

Gender identity disorder, an obsolete term from an earlier version of the *DSM* that was removed in its fifth edition, was used as a psychiatric diagnosis. If we compare the diagnostic criteria for gender dysphoria (the current term) and

gender identity disorder (the former term), we see that both require the patient to display "a marked incongruence between one's experienced/expressed gender and assigned gender."^[24] The key difference is that a diagnosis of gender dysphoria requires the patient additionally to experience a "clinically significant distress or impairment in social, occupational, or other important areas of functioning" associated with these incongruent feelings.^[25] Thus the major set of diagnostic criteria used in contemporary psychiatry does not designate all transgender individuals as having a psychiatric disorder. For example, a biological male who identifies himself as a female is not considered to have a psychiatric disorder unless the individual is experiencing significant psychosocial distress at the incongruence. A diagnosis of gender dysphoria may be part of the criteria used to justify sex-reassignment surgery or other clinical interventions. Furthermore, a patient who has had medical or surgical modifications to express his or her gender identity may still suffer from gender dysphoria. It is the nature of the struggle that defines the disorder, not the fact that the expressed gender differs from the biological sex.

There is no scientific evidence that all transgender people have gender dysphoria, or that they are all struggling with their gender identities. Some individuals who are not transgender — that is, who do not identify as a gender that does not correspond with their biological sex — might nonetheless struggle with their gender identity; for example, girls who behave in some male-typical ways might experience various forms of distress without ever coming to identify as boys. Conversely, individuals who do identify as a gender that does not correspond with their biological sex may not experience clinically significant distress related to their gender identity. Even if only, say, 40% of individuals who identify as a gender that does not correspond with their biological sex experience significant distress related to their gender identity, this would constitute a public health issue requiring clinicians and others to act to support those with gender dysphoria, and hopefully, to reduce the rate of gender dysphoria in the population. There is no evidence to suggest that the other 60% in this hypothetical — that is, the individuals who identify as a gender that does not correspond with their biological sex but who do not experience significant distress — would require clinical treatment.

The DSM's concept of subjectively "experiencing" one's gender as incongruent from one's biological sex may require more critical scrutiny and possibly modification. The exact definition of gender dysphoria, however well-intentioned, is somewhat vague and confusing. It does not account for individuals who self-identify as transgender but do not experience dysphoria associated with their gender identity and who seek psychiatric care for functional impairment for problems unrelated to their gender identity, such as anxiety or depression. They may then be mislabeled as having gender dysphoria simply because they have a desire to be identified as a member of the opposite gender, when they have come to a satisfactory resolution, subjectively, with this incongruence and may be depressed for reasons having nothing to do with their gender identity.

The DSM-5 criteria for a diagnosis of gender dysphoria in children are defined in a "more concrete, behavioral manner than those for adolescents and adults."^[26] This is to say that some of the diagnostic criteria for gender dysphoria in children refer to behaviors that are stereotypically associated with the opposite gender. Clinically significant distress is still necessary for a diagnosis of gender dysphoria in children, but some of the other diagnostic criteria include, for instance, a "strong preference for the toys, games, or activities stereotypically used or engaged in by the other gender."^[27] What of girls who are "tomboys" or boys who are not oriented toward violence and guns, who prefer quieter play? Should parents worry that their tomboy daughter is really a boy stuck in a girl's body? There is no scientific basis for believing that playing with toys typical of boys defines a child as a boy, or that playing with toys typical of girls defines a child as a girl. The DSM-5 criterion for diagnosing gender dysphoria by reference to gender-typical toys is unsound; it appears to ignore the fact that a child could display an *expressed* gender — manifested by social or behavioral traits — incongruent with the child's biological sex but without *identifying* as the opposite gender. Furthermore, even for children who do identify as a gender opposite their biological sex, diagnoses of gender dysphoria are simply unreliable. The reality is that they may have psychological difficulties in accepting their biological sex as their gender. Children can have difficulty with the expectations associated with those gender roles. Traumatic experiences can also cause a child to express distress with the gender associated with his or her biological sex.

Gender identity problems can also arise with intersex conditions (the presence of ambiguous genitalia due to genetic abnormalities), which we discussed earlier. These disorders of sex development, while rare, can contribute to gender dysphoria in some cases.^[28] Some of these conditions include complete androgen insensitivity syndrome, where individuals with XY (male) chromosomes lack receptors for male sex hormones, leading them to develop the secondary sex characteristics of females, rather than males (though they lack ovaries, do not menstruate, and are consequently sterile).^[29] Another hormonal disorder of sex development that can lead to individuals developing in ways that are not typical of their genetic sex include congenital adrenal hyperplasia, a condition that can masculinize XX (female) fetuses.^[30] Other rare phenomena such as genetic mosaicism^[31] or chimerism,^[32] where some cells in the individual's bodies contain XX chromosomes and others contain XY

chromosomes, can lead to considerable ambiguity in sex characteristics, including individuals who possess both male and female gonads and sex organs.

While there are many cases of gender dysphoria that are not associated with these identifiable intersex conditions, gender dysphoria may still represent a different type of intersex condition in which the primary sex characteristics such as genitalia develop normally while secondary sex characteristics associated with the brain develop along the lines of the opposite sex. Controversy exists over influences determining the nature of neurological, psychological, and behavioral sex differences. The emerging consensus is that there may be some differences in patterns of neurological development in- and ex-utero for men and women.^[33] Therefore, in theory, transgender individuals could be subject to conditions allowing a more female-type brain to develop within a genetic male (having the XY chromosomal patterns), and vice versa. However, as we will show in the next section, the research supporting this idea is quite minimal.

As a way of surveying the biological and social science research on gender dysphoria, we can list some of the important questions. Are there biological factors that influence the development of a gender identity that does not correspond with one's biological sex? Are some individuals born with a gender identity different from their biological sex? Is gender identity shaped by environmental or nurturing conditions? How stable are choices of gender identity? How common is gender dysphoria? Is it persistent across the lifespan? Can a little boy who thinks he is a little girl change over the course of his life to regard himself as male? If so, how often can such people change their gender identities? How would someone's gender identity be measured scientifically? Does self-understanding suffice? Does a biological girl become a gender boy by believing, or at least stating, she is a little boy? Do people's struggles with a sense of incongruity between their gender identity and biological sex persist over the life course? Does gender dysphoria respond to psychiatric interventions? Should those interventions focus on affirming the gender identity of the patient or take a more neutral stance? Do efforts to hormonally or surgically modify an individual's primary or secondary sex characteristics help resolve gender dysphoria? Does modification create further psychiatric problems for some of those diagnosed with gender dysphoria, or does it typically resolve existing psychiatric problems? We broach a few of these critical questions in the following sections.

Gender and Physiology

Robert Sapolsky, a Stanford professor of biology who has done extensive neuroimaging research, suggested a possible neurobiological explanation for cross-gender identification in a 2013 *Wall Street Journal* article, "Caught Between Male and Female." He asserted that recent neuroimaging studies of the brains of transgender adults suggest that they may have brain structures more similar to their gender identity than to their biological sex.^[34] Sapolsky bases this assertion on the fact that there are differences between male and female brains, and while the differences are "small and variable," they "probably contribute to the sex differences in learning, emotion and socialization."^[35] He concludes: "The issue isn't that sometimes people believe they are of a different gender than they actually are. Remarkably, instead, it's that sometimes people are born with bodies whose gender is different from what they actually are."^[36] In other words, he claims that some people can have a female-type brain in a male body, or vice versa.

While this kind of neurobiological theory of cross-gender identification remains outside of the scientific mainstream, it has recently received scientific and popular attention. It provides a potentially attractive explanation for cross-gender identification, especially for individuals who are not affected by any known genetic, hormonal, or psychosocial abnormalities.^[37] However, while Sapolsky may be right, there is fairly little support in the scientific literature for his contention. His neurological explanation for differences between male and female brains and those differences' possible relevance to cross-gender identification warrant further scientific consideration.

There are many small studies that attempt to define causal factors of the experience of incongruence between one's biological sex and felt gender. These studies are described in the following pages, each pointing to an influence that may contribute to the explanation for cross-gender identification.

Nancy Segal, a psychologist and geneticist, researched two case studies of identical twins discordant for female-to-male (FtM) transsexualism.^[38] Segal notes that, according to another, earlier study that conducted nonclinical interviews with 45 FtM transsexuals, 60% suffered some form of childhood abuse, with 31% experiencing sexual abuse, 29% experiencing emotional abuse, and 38% physical abuse.^[39] However, this earlier study did not include a control group and was limited by its small sample size, making it difficult to extract significant interactions, or generalizations, from the data.

Segal's own first case study was of a 34-year-old FtM twin, whose identical twin sister was married and the mother of seven children.^[40] Several stressful events had occurred during the twins' mother's pregnancy, and they were born five weeks prematurely. When they were eight years old, their parents divorced. The FtM twin exhibited gender-nonconforming behavior early and it persisted throughout childhood. She became attracted to other girls in junior high school and as a teenager attempted suicide several times. She reported physical abuse and emotional abuse at the hand of her mother. The twins were raised in a Mormon household, in which transsexuality was not tolerated.^[41] The twin sister had never questioned her gender identity but did experience some depression.

For Segal, the FtM twin's gender nonconformity and abuse in childhood were factors that contributed to gender dysphoria; the other twin was not subject to the same stressors in childhood, and did not develop issues around her gender identity. Segal's second case study also concerned identical twins with one twin transitioning from female to male.^[42] This FtM twin had early-onset nonconforming behaviors and attempted suicide as a young adult. At age 29 she underwent reassignment surgery, was well supported by family, met a woman, and married. As in the first case, the other twin was reportedly always secure in her female gender identity.

Segal speculates that each set of twins may have had uneven prenatal androgen exposures (though her study did not offer evidence to support this)^[43] and concludes that "Transsexualism is unlikely to be associated with a major gene, but is likely to be associated with multiple genetic, epigenetic, developmental and experiential influences."^[44] Segal is critical of the notion that the maternal abuse experienced by the FtM twin in her first case study may have played a causal role in the twin's "atypical gender identification" since the abuse "apparently followed" the twin's gender-atypical behaviors — though Segal acknowledges "it is possible that this abuse reinforced his already atypical gender identification."^[45] These case studies, while informative, are not scientifically strong, and do not provide direct evidence for any causal hypotheses about the origins of atypical gender identification.

A source of more information — but also inadequate to make direct causal inferences — is a case analysis by Mayo Clinic psychiatrists J. Michael Bostwick and Kari A. Martin of an intersex individual born with ambiguous genitalia who was operated on and raised as a female.^[46] By way of offering some background, the authors draw a distinction between gender identity disorder (an "inconsistency between perceived gender identity and phenotypic sex" that generally involves "no discernible neuroendocrinological abnormality"^[47]), and intersexuality (a condition in which biological features of both sexes are present). They also provide a summary and classification scheme of the various types of intersex disorders. After a thorough discussion of the various intersex developmental issues that can lead to a disjunction between the brain and body, the authors acknowledge that "Some adult patients with severe dysphoria — transsexuals — have neither history nor objective findings supporting a known biological cause of brain-body disjunction."^[48] These patients require thorough medical and psychiatric attention to avoid gender dysphoria.

After this helpful summary, the authors state that "Absent psychosis or severe character pathology, patients' subjective assertions are presently the most reliable standards for delineating core gender identity."^[49] But it is not clear how we could consider subjective assertions more reliable in establishing gender identity, unless gender identity is defined as a completely subjective phenomenon. The bulk of the article is devoted to describing the various objectively discernible and identifiable ways in which one's identity as a male or female is imprinted on the nervous and endocrine system. Even when something goes wrong with the development of external genitalia, individuals are more likely to act in accordance with their chromosomal and hormonal makeup.^[50]

In 2011, Giuseppina Rametti and colleagues from various research centers in Spain used MRI to study the brain structures of 18 FtM transsexuals who exhibited gender nonconformity early in life and experienced sexual attraction to females prior to hormone treatment.^[51] The goal was to learn whether their brain features corresponded more to their biological sex or to their sense of gender identity. The control group consisted of 24 male and 19 female heterosexuals with gender identities conforming to their biological sex. Differences were noted in the white matter microstructure of specific brain areas. In untreated FtM transsexuals, that structure was more similar to that of heterosexual males than to that of heterosexual females in three of four brain areas.^[52] In a complementary study, Rametti and colleagues compared 18 MtF transsexuals to 19 female and 19 male heterosexual controls.^[53] These MtF transsexuals had white matter tract averages in several brain areas that fell between the averages of the control males and the control females. The values, however, were typically closer to the males (that is, to those that shared their biological sex) than to the females in most areas.^[54] In controls the authors found that, as expected, the males had greater amounts of gray and white matter and higher volumes of cerebrospinal fluid than control females. The MtF transsexual brain volumes were all similar to those of male controls and significantly different from those of females.^[55]

Overall, the findings of these studies by Rametti and colleagues do not sufficiently support the notion that transgender individuals have brains more similar to their preferred gender than to the gender corresponding with their biological sex. Both studies are limited by small sample sizes and lack of a prospective hypothesis — both analyzed the MRI data to find the gender differences and then looked to see where the data from transgender subjects fit.

Whereas both of these MRI studies looked at brain *structure*, a functional MRI study by Emiliano Santarone and colleagues from the University of Siena and the University of Florence looked at brain *function*, examining gender-related differences in spontaneous brain activity during the resting state.^[56] The researchers compared a single FtM individual (declared cross-gender since childhood), and control groups of 25 males and 25 females, with regard to spontaneous brain activity. The FtM individual demonstrated a "brain activity profile more close to his biological sex than to his desired one," and based in

part on this result the authors concluded that "untreated FtM transsexuals show a functional connectivity profile comparable to female control subjects."^[57] With a sample size of one, this study's statistical power is virtually zero.

In 2013, Hsiao-Lun Ku and colleagues from various medical centers and research institutes in Taiwan also conducted functional brain imaging studies. They compared the brain activity of 41 transsexuals (21 FtMs, 20 MtFs) and 38 matched heterosexual controls (19 males and 19 females).^[58] Arousal response of each cohort while viewing neutral as compared to erotic films was compared between groups. All of the transsexuals in the study reported sexual attractions to members of their natal, biological sex, and exhibited more sexual arousal than heterosexual controls when viewing erotic films that depicted sexual activity between subjects sharing their biological sex. A "selfness" score was also incorporated into the study, in which the researchers asked participants to "rate the degree to which you identify yourself as the male or female in the film."^[59] The transsexuals in the study identified with those of their preferred gender more than the controls identified with those of their biological gender, in both erotic films and neutral films. The heterosexual controls did not identify themselves with either males or females in either of the film types. Ku and colleagues claim to have demonstrated characteristic brain patterns for sexual attraction as related to biological sex but did not make meaningful neurobiological gender-identity comparisons among the three cohorts. In addition, they reported findings that transsexuals demonstrated psychosocial maladaptive defensive styles.

A 2008 study by Hans Berglund and colleagues from Sweden's Karolinska Institute and Stockholm Brain Institute used PET and fMRI scans to compare brain-area activation patterns in 12 MtF transgendered individuals who were sexually attracted to women with those of 12 heterosexual women and 12 heterosexual men.^[60] The first set of subjects took no hormones and had not undergone sex-reassignment surgery. The experiment involved smelling odorous steroids thought to be female pheromones, and other sexually neutral odors such as lavender oil, cedar oil, eugenol, butanol, and odorless air. The results were varied and mixed between the groups for the various odors, which should not be surprising, since *post hoc* analyses usually lead to contradictory findings.

In summary, the studies presented above show inconclusive evidence and mixed findings regarding the brains of transgender adults. Brain-activation patterns in these studies do not offer sufficient evidence for drawing sound conclusions about possible associations between brain activation and sexual identity or arousal. The results are conflicting and confusing. Since the data by Ku and colleagues on brain-activation patterns are not universally associated with a particular sex, it remains unclear whether and to what extent neurobiological findings say anything meaningful about gender identity. It is important to note that regardless of their findings, studies of this kind cannot support any conclusion that individuals come to identify as a gender that does not correspond to their biological sex because of an innate, biological condition of the brain.

The question is not simply whether there are differences between the brains of transgender individuals and people identifying with the gender corresponding to their biological sex, but whether gender identity is a fixed, innate, and biological trait, even when it does not correspond to biological sex, or whether environmental or psychological causes contribute to the development of a sense of gender identity in such cases. Neurological differences in transgender adults might be the consequence of biological factors such as genes or prenatal hormone exposure, or of psychological and environmental factors such as childhood abuse, or they could result from some combination of the two. There are no serial, longitudinal, or prospective studies looking at the brains of cross-gender identifying children who develop to later identify as transgender adults. Lack of this research severely limits our ability to understand causal relationships between brain morphology, or functional activity, and the later development of gender identity different from biological sex.

More generally, it is now widely recognized among psychiatrists and neuroscientists who engage in brain imaging research that there are inherent and ineradicable methodological limitations of *any* neuroimaging study that simply associates a particular trait, such as a certain behavior, with a particular brain morphology.^[61] (And when the trait in question is not a concrete behavior but something as elusive and vague as "gender identity," these methodological problems are even more serious.) These studies cannot provide statistical evidence nor show a plausible biological mechanism strong enough to support *causal connections* between a brain feature and the trait, behavior, or symptom in question. To support a conclusion of causality, even epidemiological causality, we need to conduct prospective longitudinal panel studies of a fixed set of individuals across the course of sexual development if not their lifespan.

Studies like these would use serial brain images at birth, in childhood, and at other points along the developmental continuum, to see whether brain morphology findings were there from the beginning. Otherwise, we cannot establish whether certain brain features caused a trait, or whether the trait is innate and perhaps fixed. Studies like those discussed above of individuals who already exhibit the trait are incapable of distinguishing between *causes* and *consequences* of the trait. In most cases transgender individuals have been acting and thinking for years in ways that, through learned behavior and associated neuroplasticity, may have produced brain changes that could differentiate them from other members of their biological or natal sex. The only definitive way to establish epidemiological causality between a brain feature and a trait

(especially one as complex as gender identity) is to conduct prospective, longitudinal, preferably randomly sampled and population-based studies.

In the absence of such prospective longitudinal studies, large representative population-based samples with adequate statistical controls for confounding factors may help narrow the possible causes of a behavioral trait and thereby increase the probability of identifying a neurological cause.^[62] However, because the studies conducted thus far use small convenience samples, none of them is especially helpful for narrowing down the options for causality. To obtain a better study sample, we would need to include neuroimaging in large-scale epidemiological studies. In fact, given the small number of transgender individuals in the general population,^[63] the studies would need to be prohibitively large to attain findings that would reach statistical significance.

Moreover, if a study found significant differences between these groups — that is, a number of differences higher than what would be expected by chance alone — these differences would refer to the average in a population of each group. Even if these two groups differed significantly for all 100 measurements, it would not necessarily indicate a biological difference among *individuals* at the extremes of the distribution. Thus, a randomly selected transgender individual and a randomly selected non-transgender individual might not differ on any of these 100 measurements. Additionally, since the probability that a randomly selected person from the general population will be transgender is quite small, statistically significant differences in the sample means are not sufficient evidence to conclude that a particular measurement is predictive of whether the person is transgender or not. If we measured the brain of an infant, toddler, or adolescent and found this individual to be closer to one cohort than another on these measures, it would not imply that this individual would grow up to identify as a member of that cohort. It may be helpful to keep this caveat in mind when interpreting research on transgender individuals.

In this context, it is important to note that there are no studies that demonstrate that any of the biological differences being examined have predictive power, and so all interpretations, usually in popular outlets, claiming or suggesting that a statistically significant difference between the brains of people who are transgender and those who are not is the cause of being transgendered or not — that is to say, that the biological differences determine the differences in gender identity — are unwarranted.

In short, the current studies on associations between brain structure and transgender identity are small, methodologically limited, inconclusive, and sometimes contradictory. Even if they were more methodologically reliable, they would be insufficient to demonstrate that brain structure is a cause, rather than an effect, of the gender-identity behavior. They would likewise lack predictive power, the real challenge for any theory in science.

For a simple example to illustrate this point, suppose we had a room with 100 people in it. Two of them are transgender and all others are not. I pick someone at random and ask you to guess the person's gender identity. If you know that 98 out of 100 of the individuals are not transgender, the safest bet would be to guess that the individual is not transgender, since that answer will be correct 98% of the time. Suppose, then, that you have the opportunity to ask questions about the neurobiology and about the natal sex of the person. Knowing the biology only helps in predicting whether the individual is transgender if it can improve on the original guess that the person is not transgender. So if knowing a characteristic of the individual's brain does not improve the ability to predict what group the patient belongs to, then the fact that the two groups differ at the mean is almost irrelevant. Improving on the original prediction is very difficult for a rare trait such as being transgender, because the probability of that prediction being correct is already very high. If there really were a clear difference between the brains of transgender and non-transgender individuals, akin to the biological differences between the sexes, then improving on the original guess would be relatively easy. Unlike the differences between the sexes, however, there are no biological features that can reliably identify transgender individuals as different from others.

The consensus of scientific evidence overwhelmingly supports the proposition that a physically and developmentally normal boy or girl is indeed what he or she appears to be at birth. The available evidence from brain imaging and genetics does not demonstrate that the development of gender identity as different from biological sex is innate. Because scientists have not established a solid framework for understanding the causes of cross-gender identification, ongoing research should be open to psychological and social causes, as well as biological ones.

Transgender Identity in Children

In 2012, the *Washington Post* featured a story by Petula Dvorak, "Transgender at five,"^[64] about a girl who at the age of 2 years began insisting that she was a boy. The story recounts her mother's interpretation of this behavior: "Her little girl's brain was different. Jean [her mother] could tell. She had heard about transgender people, those who are one gender physically but the other gender mentally." The story recounts this mother's distressed experiences as she began researching gender identity problems in children and came to understand other parents' experiences:

Many talked about their painful decision to allow their children to publicly transition to the opposite gender — a much tougher process for boys who wanted to be girls. Some of what Jean heard was reassuring: Parents who

took the plunge said their children's behavior problems largely disappeared, schoolwork improved, happy kid smiles returned. But some of what she heard was scary: children taking puberty blockers in elementary school and teens embarking on hormone therapy before they'd even finished high school.^[65]

The story goes on to describe how the sister, Moyin, of the transgender child Tyler (formerly Kathryn) made sense of her sibling's identity:

Tyler's sister, who's 8, was much more casual about describing her transgender sibling. "It's just a boy mind in a girl body," Moyin explained matter-of-factly to her second-grade classmates at her private school, which will allow Tyler to start kindergarten as a boy, with no mention of Kathryn.^[66]

The remarks from the child's sister encapsulate the popular notion regarding gender identity: transgender individuals, or children who meet the diagnostic criteria for gender dysphoria, are simply "a boy mind in a girl body," or vice versa. This view implies that gender identity is a persistent and innate feature of human psychology, and it has inspired a gender-affirming approach to children who experience gender identity issues at an early age.

As we have seen above in the overview of the neurobiological and genetic research on the origins of gender identity, there is little evidence that the phenomenon of transgender identity has a biological basis. There is also little evidence that gender identity issues have a high rate of persistence in children. According to the *DSM-5*, "In natal [biological] males, persistence [of gender dysphoria] has ranged from 2.2% to 30%. In natal females, persistence has ranged from 12% to 50%."^[67] Scientific data on persistence of gender dysphoria remains sparse due to the very low prevalence of the disorder in the general population, but the wide range of findings in the literature suggests that there is still much that we do not know about why gender dysphoria persists or desists in children. As the *DSM-5* entry goes on to note, "It is unclear if children 'encouraged' or supported to live socially in the desired gender will show higher rates of persistence, since such children have not yet been followed longitudinally in a systematic manner."^[68] There is a clear need for more research in these areas, and for parents and therapists to acknowledge the great uncertainty regarding how to interpret the behavior of these children.

Therapeutic Interventions in Children

With the uncertainty surrounding the diagnosis of and prognosis for gender dysphoria in children, therapeutic decisions are particularly complex and difficult. Therapeutic interventions for children must take into account the probability that the children may outgrow cross-gender identification. University of Toronto researcher and therapist Kenneth Zucker believes that family and peer dynamics can play a significant role in the development and persistence of gender-nonconforming behavior, writing that

it is important to consider both predisposing and perpetuating factors that might inform a clinical formulation and the development of a therapeutic plan: the role of temperament, parental reinforcement of cross-gender behavior during the sensitive period of gender identity formation, family dynamics, parental psychopathology, peer relationships and the multiple meanings that might underlie the child's fantasy of becoming a member of the opposite sex.^[69]

Zucker worked for years with children experiencing feelings of gender incongruence, offering psychosocial treatments to help them embrace the gender corresponding with their biological sex — for instance, talk therapy, parent-arranged play dates with same-sex peers, therapy for co-occurring psychopathological issues such as autism spectrum disorder, and parent counseling.^[70]

In a follow-up study by Zucker and colleagues of children treated by them over the course of thirty years at the Center for Mental Health and Addiction in Toronto, they found that gender identity disorder persisted in only 3 of the 25 girls they had treated.^[71] (Zucker's clinic was closed by the Canadian government in 2015.^[72])

An alternative to Zucker's approach that emphasizes affirming the child's preferred gender identity has become more common among therapists.^[73] This approach involves helping the children to self-identify even more with the gender label they prefer at the time. One component of the gender-affirming approach has been the use of hormone treatments for adolescents in order to delay the onset of sex-typical characteristics during puberty and alleviate the feelings of dysphoria the adolescents will experience as their bodies develop sex-typical characteristics that are at odds with the gender with which they identify. There is relatively little evidence for the therapeutic value of these kinds of puberty-delaying treatments, but they are currently the subject of a large clinical study sponsored by the National Institutes of Health.^[74]

While epidemiological data on the outcomes of medically delayed puberty is quite limited, referrals for sex-reassignment hormones and surgical procedures appear to be on the rise, and there is a push among many advocates to proceed with sex reassignment at younger ages. According to a 2013 article in *The Times* of London, the United Kingdom saw a 50% increase in the number of children referred to gender dysphoria clinics from 2011 to 2012, and a nearly 50% increase in referrals among adults from 2010 to 2012.^[75] Whether this increase can be attributed to rising rates of gender confusion, rising sensitivity to gender

issues, growing acceptance of therapy as an option, or other factors, the increase itself is concerning, and merits further scientific inquiry into the family dynamics and other potential problems, such as social rejection or developmental issues, that may be taken as signs of childhood gender dysphoria.

A study of psychological outcomes following puberty suppression and sex-reassignment surgery, published in the journal *Pediatrics* in 2014 by child and adolescent psychiatrist Annelou L.C. de Vries and colleagues, suggested improved outcomes for individuals after receiving these interventions, with well-being improving to a level similar to that of young adults from the general population.^[76] This study looked at 55 transgender adolescents and young adults (22 MtF and 33 FtM) from a Dutch clinic who were assessed three times: before the start of puberty suppression (mean age: 13.6 years), when cross-sex hormones were introduced (mean age: 16.7 years), and at least one year after sex-reassignment surgery (mean age: 20.7 years). The study did not provide a matched group for comparison — that is, a group of transgender adolescents who did not receive puberty-blocking hormones, cross-sex hormones, and/or sex-reassignment surgery — which makes comparisons of outcomes more difficult.

In the study cohort, gender dysphoria improved over time, body image improved on some measures, and overall functioning improved modestly. Due to the lack of a matched control group it is unclear whether these changes are attributable to the procedures or would have occurred in this cohort without the medical and surgical interventions. Measures of anxiety, depression, and anger showed some improvements over time, but these findings did not reach statistical significance. While this study suggested some improvements over time in this cohort, particularly the reported subjective satisfaction with the procedures, detecting significant differences would require the study to be replicated with a matched control group and a larger sample size. The interventions also included care from a multidisciplinary team of medical professionals, which could have had a beneficial effect. Future studies of this kind would ideally include long-term follow-ups that assess outcomes and functioning beyond the late teens or early twenties.

Therapeutic Interventions in Adults

The potential that patients undergoing medical and surgical sex reassignment may want to return to a gender identity consistent with their biological sex suggests that reassignment carries considerable psychological and physical risk, especially when performed in childhood, but also in adulthood. It suggests that the patients' pre-treatment beliefs about an ideal post-treatment life may sometimes go unrealized.

In 2004, Birmingham University's Aggressive Research Intelligence Facility (Arif) assessed the findings of more than one hundred follow-up studies of post-operative transsexuals.^[77] An article in *The Guardian* summarized the findings:

Arif ... concludes that none of the studies provides conclusive evidence that gender reassignment is beneficial for patients. It found that most research was poorly designed, which skewed the results in favour of physically changing sex. There was no evaluation of whether other treatments, such as long-term counselling, might help transsexuals, or whether their gender confusion might lessen over time. Arif says the findings of the few studies that have tracked significant numbers of patients over several years were flawed because the researchers lost track of at least half of the participants. The potential complications of hormones and genital surgery, which include deep vein thrombosis and incontinence respectively, have not been thoroughly investigated, either. "There is huge uncertainty over whether changing someone's sex is a good or a bad thing," says Dr Chris Hyde, director of Arif. "While no doubt great care is taken to ensure that appropriate patients undergo gender reassignment, there's still a large number of people who have the surgery but remain traumatized — often to the point of committing suicide."^[78]

The high level of uncertainty regarding various outcomes after sex-reassignment surgery makes it difficult to find clear answers about the effects on patients of reassignment surgery. Since 2004, there have been other studies on the efficacy of sex-reassignment surgery, using larger sample sizes and better methodologies. We will now examine some of the more informative and reliable studies on outcomes for individuals receiving sex-reassignment surgery.

As far back as 1979, Jon K. Meyer and Donna J. Reter published a longitudinal follow-up study on the overall well-being of adults who underwent sex-reassignment surgery.^[79] The study compared the outcomes of 15 people who received surgery with those of 35 people who requested but did not receive surgery (14 of these individuals eventually received surgery later, resulting in three cohorts of comparison: operated, not-operated, and operated later). Well-being was quantified using a scoring system that assessed psychiatric, economic, legal, and relationship outcome variables. Scores were determined by the researchers after performing interviews with the subjects. Average follow-up time was approximately five years for subjects who had sex change surgery, and about two years for those subjects who did not.

Compared to their condition before surgery, the individuals who had undergone surgery appeared to show some improvement in well-being, though the results had a fairly low level of statistical significance. Individuals who had no surgical intervention did display a statistically significant improvement at follow-up. However, there was no statistically significant difference between the two

groups' scores of well-being at follow-up. The authors concluded that "sex reassignment surgery confers no objective advantage in terms of social rehabilitation, although it remains subjectively satisfying to those who have rigorously pursued a trial period and who have undergone it."^[80] This study led the psychiatry department at Johns Hopkins Medical Center (JHMC) to discontinue surgical interventions for sex changes for adults.^[81]

However, the study has important limitations. Selection bias was introduced in the study population, because the subjects were drawn from those individuals who sought sex-reassignment surgery at JHMC. In addition, the sample size was small. Also, the individuals who did not undergo sex-reassignment surgery but presented to JHMC for it did not represent a true control group. Random assignment of the surgical procedure was not possible. Large differences in the average follow-up time between those who underwent surgery and those who did not further reduces any capacity to draw valid comparisons between the two groups. Additionally, the study's methodology was also criticized for the somewhat arbitrary and idiosyncratic way it measured the well-being of its subjects. Cohabitation or any form of contact with psychiatric services were scored as equally negative factors as having been arrested.^[82]

In 2011, Cecilia Dhejne and colleagues from the Karolinska Institute and Gothenburg University in Sweden published one of the more robust and well-designed studies to examine outcomes for persons who underwent sex-reassignment surgery. Focusing on mortality, morbidity, and criminality rates, the matched cohort study compared a total of 324 transsexual persons (191 MtFs, 133 FtMs) who underwent sex reassignment between 1973 and 2003 to two age-matched controls: people of the same sex as the transsexual person at birth, and people of the sex to which the individual had been reassigned.^[83]

Given the relatively low number of transsexual persons in the general population, the size of this study is impressive. Unlike Meyer and Reter, Dhejne and colleagues did not seek to evaluate the patient satisfaction after sex-reassignment surgery, which would have required a control group of transgender persons who desired to have sex-reassignment surgery but did not receive it. Also, the study did not compare outcome variables before and after sex-reassignment surgery; only outcomes after surgery were evaluated. We need to keep these caveats in mind as we look at what this study found.

Dhejne and colleagues found statistically significant differences between the two cohorts on several of the studied rates. For example, the postoperative transsexual individuals had an approximately three times higher risk for psychiatric hospitalization than the control groups, even after adjusting for prior psychiatric treatment.^[84] (However, the risk of being hospitalized for substance abuse was not significantly higher after adjusting for prior psychiatric treatment, as well as other covariates.) Sex-reassigned individuals had nearly a three times higher risk of all-cause mortality after adjusting for covariates, although the elevated risk was significant only for the time period of 1973–1988.^[85] Those undergoing surgery during this period were also at increased risk of being convicted of a crime.^[86] Most alarmingly, sex-reassigned individuals were 4.9 times more likely to attempt suicide and 19.1 times more likely to die by suicide compared to controls.^[87] "Mortality from suicide was strikingly high among sex-reassigned persons, including after adjustment for prior psychiatric morbidity."^[88]

The study design precludes drawing inferences "as to the effectiveness of sex reassignment as a treatment for transsexualism," although Dhejne and colleagues state that it is possible that "things might have been even worse without sex reassignment."^[89] Overall, post-surgical mental health was quite poor, as indicated especially by the high rate of suicide attempts and all-cause mortality in the 1973–1988 group. (It is worth noting that for the transsexuals in the study who underwent sex reassignment from 1989 to 2003, there were of course fewer years of data available at the time the study was conducted than for those transsexuals from the earlier period. The rates of mortality, morbidity, and criminality in the later group may in time come to resemble the elevated risks of the earlier group.) In summary, this study suggests that sex-reassignment surgery may not rectify the comparatively poor health outcomes associated with transgender populations in general. Still, because of the limitations of this study mentioned above, the results also cannot establish that sex-reassignment surgery causes poor health outcomes.

In 2009, Annette Kuhn and colleagues from the University Hospital and University of Bern in Switzerland examined post-surgery quality of life in 52 MtF and 3 FtM transsexuals fifteen years after sex-reassignment surgery.^[90] This study found considerably lower general life satisfaction in post-surgical transsexuals as compared with females who had at least one pelvic surgery in the past. The postoperative transsexuals reported lower satisfaction with their general quality of health and with some of the personal, physical, and social limitations they experienced with incontinence that resulted as a side effect of the surgery. Again, inferences cannot be drawn from this study regarding the efficacy of sex-reassignment surgery due to the lack of a control group of transgender individuals who did not receive sex-reassignment surgery.

In 2010, Mohammad Hassan Murad and colleagues from the Mayo Clinic published a systematic review of studies on the outcomes of hormonal therapies used in sex-reassignment procedures, finding that there was "very low quality evidence" that sex reassignment via hormonal interventions "likely improves gender dysphoria, psychological functioning and comorbidities, sexual function and overall quality of life."^[91] The authors identified 28 studies that together

examined 1,833 patients who underwent sex-reassignment procedures that included hormonal interventions (1,093 male-to-female, 801 female-to-male).^[92] Pooling data across studies showed that, after receiving sex-reassignment procedures, 80% of patients reported improvement in gender dysphoria, 78% reported improvement in psychological symptoms, and 80% reported improvement in quality of life.^[93] None of the studies included the bias-limiting measure of randomization (that is, in none of the studies were sex-reassignment procedures assigned randomly to some patients but not to others), and only three of the studies included control groups (that is, patients who were not provided the treatment to serve as comparison cases for those who did).^[94] Most of the studies examined in Murad and colleagues' review reported improvements in psychiatric comorbidities and quality of life, though notably suicide rates remained higher for individuals who had received hormone treatments than for the general population, despite reductions in suicide rates following the treatments.^[95] The authors also found that there were some exceptions to reports of improvements in mental health and satisfaction with sex-reassignment procedures; in one study, 3 of 17 individuals regretted the procedure with 2 of these 3 seeking reversal procedures,^[96] and four of the studies reviewed reported worsening quality of life, including continuing social isolation, lack of improvement in social relationships, and dependence on government welfare programs.^[97]

The scientific evidence summarized suggests we take a skeptical view toward the claim that sex-reassignment procedures provide the hoped-for benefits or resolve the underlying issues that contribute to elevated mental health risks among the transgender population. While we work to stop maltreatment and misunderstanding, we should also work to study and understand whatever factors may contribute to the high rates of suicide and other psychological and behavioral health problems among the transgender population, and to think more clearly about the treatment options that are available.

[*] A note on terminology: In this report, we generally use the term *transgender* to refer to persons for whom there is an incongruity between the gender identity they understand themselves to possess and their biological sex. We use the term *transsexual* to refer to individuals who have undergone medical interventions to transform their appearance to better correspond with that of their preferred gender. The most familiar colloquial term used to describe the medical interventions that transform the appearance of transgender individuals may be "sex change" (or, in the case of surgery, "sex-change operation"), but this is not commonly used in the scientific and medical literature today. While no simple terms for these procedures are completely satisfactory, in this report we employ the commonly used terms *sex reassignment* and *sex-reassignment surgery*, except when quoting a source that uses "gender reassignment" or some other term.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1489, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS," passed Third Reading by a vote of 50 ayes, with Representative McDermott voting aye with reservations, and with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1058) recommending that H.B. No. 218, as amended in HD 1, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 218, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Ruling on a conflict. I have been appointed many times as commissioner in foreclosures, and will be subject to this bill."

At 10:17 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:18 o'clock a.m.

The Chair addressed Representative San Buenaventura, stating:

"On your question of possible conflict, Chair rules no conflict."

Representative San Buenaventura continued, stating:

"Request that that ruling apply for today and the rest of the session," 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. 218, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Ward voting no, and with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1059) recommending that H.B. No. 775, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 775, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Ruling on a potential conflict. My family has an egg farm," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 775, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 10:19 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1115, HD 1
H.B. No. 1534, HD 1
H.B. No. 1489, HD 1
H.B. No. 218, HD 1
H.B. No. 775, HD 2

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1065) recommending that H.B. No. 152, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 152, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WHEELING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1066) recommending that H.B. No. 1567, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1567, HD 2 pass Third Reading, seconded by Representative Evans.

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

"With strong support. I want to thank the introducers of this bill. Our community is strewn with clean energy projects, solar projects, all kinds of other projects, and no type of discount or anything for us having those projects. We all pay the same high HECO bill that everyone else has, and on top of it, we have the HECO power plant in my district as well. And so I feel, there's actually a group at UH that's starting to pursue this, because a lot of the rural communities are being affected by the amount of energy projects that are put in our community with no type of benefit to the community. So, in strong support. 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. 1567, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1068) recommending that H.B. No. 860, as amended in HD 1, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 860, HD 1 pass Third Reading, seconded by Representative Evans.

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

Representative Nakamura's written remarks are as follows:

"Support with reservations.

"I'm unclear who will pay the cost of the proposed mandatory mediation that would take place prior to a quiet title action.

"I believe that the long-term solution is for the State via the Office of Hawaiian Affairs to facilitate the creation of land trusts for families of Hawaiian ancestry that own *kuleana* properties. All family lines would be represented on the land trust and would proactively decide on the long-term use of the property."

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

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

"Thank you, Mr. Speaker. May I request a ruling on a potential conflict? At my law firm, I actually do quiet title actions," and the Chair ruled, "no conflict."

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

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

"In support, just a brief comment. I know this bill may have some work to do regarding the mediation part of who's going to pay for it. The idea was that we split half-half. But there's also lots of services that will do it *pro bono* for a lot of these defendants. 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. 860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIONS FOR QUIET TITLE," passed Third Reading by a vote of 50 ayes, with Representatives Har, Nakamura and Tokioka voting aye with reservations, and with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1069) recommending that H.B. No. 1421, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1421, HD 2 pass Third Reading, seconded by Representative Evans.

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

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

"Mr. Speaker, strong support. I'd like to thank the Chair of CPC for moving the bill out. I know that this bill is still a work in progress. We'll do some adjustment as it goes through the process. The reason why I introduced this bill is because there seems to be no uniformity in the way insurance adjuster and insurance umpire are being done.

"Testimony that we received states that most of what they do is already the policy. When you say most, it's not all. To make sure that there will be uniformity, we have to put some definition, so that it will apply to everyone. And I want to thank again the Chair of CPC. We will be working together to make those adjustments. 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. 1421, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes, with Representative Ohno voting aye with reservations, and with Representative Ichiyama being excused.

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1070) recommending that H.B. No. 625, HD 2, as amended in HD 3, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 625, HD 3 pass Third Reading, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 625, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE," passed Third Reading by a vote of 50 ayes, with Representative Ohno voting aye with reservations, and with Representative Ichiyama being excused.

At 10:23 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 152, HD 2
H.B. No. 1567, HD 2
H.B. No. 860, HD 1
H.B. No. 1421, HD 2
H.B. No. 625, HD 3

Representative McKelvey, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1072) recommending that H.B. No. 680, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 680, HD 2 pass Third Reading, seconded by Representative Evans.

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

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in strong opposition to this bill. While I understand the spirit of this bill, I have some concerns with the method.

"First, while I for one still visit my barber on a regular basis, and have a good relationship with him, I go to him to get my hair cut. After all, that is what he went to school for and was trained to do. He was not formally trained to recognize domestic violence cases or diagnose emotional abuse. We have counselors, doctors and therapists for that, where people can voluntarily seek help.

"Furthermore, while this bill may protect the service provider by not holding them criminally or civilly liable, misreporting could do irreparable harm to customer's family life.

"Lastly, mandating that an individual participate in a course like this puts undue responsibility on the service provider. If they wanted a career in counseling or therapy, they would have gone to school for that profession."

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. 680, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTIMATE PARTNER VIOLENCE," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Har voting aye with reservations, with Representative Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1074) recommending that H.B. No. 486, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.B. No. 486, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE MORTGAGE INTEREST DEDUCTION," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Cachola, Matsumoto, Tupola and Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1075) recommending that H.B. No. 1012, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1012, HD 2 pass Third Reading, seconded by Representative Evans.

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

Representative Tokioka 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. 1012, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE INVESTMENT TRUSTS," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Tokioka and Tupola voting aye with reservations, with Representatives Har, Ito and Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1076) recommending that H.B. No. 1410, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1410, HD 2 pass Third Reading, seconded by Representative Evans.

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

"With reservations, quick comment. The part two of this bill is what concerns me, that requires the counties to use their portion of the TAT to fund and operate the EMS system, which currently is centralized and run by our state.

"And we have actually one of the best systems of EMS run by our state, and it's credited to the fact that it's a centralized system and not run by the counties. And the counties actually like the way that it's running and would prefer not to have their TAT used for this, as they won't get any additional appropriations if they run this EMS program, but the way that it's run now is the way that everyone prefers it. So that's my concern, just part two of the bill. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1410, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Third Reading by a vote of 50 ayes, with Representatives Har, Nakamura and Tupola voting aye with reservations, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1077) recommending that H.B. No. 121, HD 2, as amended in HD 3, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 121, HD 3 pass Third Reading, seconded by Representative Evans.

Representative Nakamura 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. 121, HD 3, entitled: "A BILL FOR AN ACT RELATING TO OCEAN MANAGEMENT," passed Third Reading by a vote of 45 ayes to 5 noes, with Representative Nakamura voting aye with reservations, with Representatives DeCoite, Har, Tokioka, Tupola and Ward voting no, and with Representative Ichiyama being excused.

At 10:28 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 680, HD 2
H.B. No. 486, HD 2
H.B. No. 1012, HD 2
H.B. No. 1410, HD 2
H.B. No. 121, HD 3

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1078) recommending that H.B. No. 861, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 861, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Can you please register a no vote? I just wanted to explain, because I have my good constituents here that are in support of this, and I wanted to explain the background.

"So the community-based subsistence fishing areas, this is a good thing, it wants communities to come together, find rules to establish for their fishing areas. The concern we had in the committee was that it is requiring DLNR to do five communities within a span of, I think, eight years. Currently there's only one community that finished this process and it took them 10 years. There are certain reasons why.

"But I have since then met with a group called Kua'āina Ulu 'Auamo who actually does this as a nonprofit, gathers with communities, talks to them if they're ready to do their own fishery rules. And their suggestion was actually that we make sure that there be an initiatory letter from the community to DLNR saying, we want to do this, we want to pursue it, and then have it be from the community for the community. So I am definitely for that process happening.

"Not against what community-based fisheries are, but what we're suggesting here is that DLNR do it, who they didn't seem like they really wanted to. And two, that it gives them a timeline of doing five communities, which we don't know which five, within a span of eight years, which seems that could be impossible seeing as though the only one that finished it took 10. So those are my concerns, and I still want to pursue this, but perhaps in a different fashion. Thank you."

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

"In support. Just briefly, what the bill, the genesis of the bill. CBSFAs, yes, started with Haena, it took 10 years, that established a model. Now DLNR knows exactly how many meetings you need to do, 10 rounds around the community, meeting with stakeholders, which stakeholders will come to the table and which will have the loudest voice, and which stakeholders will be the squeakiest wheels, and how to navigate that.

"DLNR, they got it down. And as a matter of fact, we put in two or three positions to help along the way. DLNR is saying they're committed to establishing more CBSFAs, and they don't need this bill. It's just not happening. As a chair, when I go out to these communities, like Moomomi, and talking to the Maui Nui resource council and various communities across rural Oahu, you see that communities are ready to go, and it's just DLNR is not moving.

"So how do you kind of jump-start it? I think this bill's a good way to do it. It shows that the Legislature is supportive of community-based fisheries management where fisher folk actually have a seat at the table. The *kupuna* who know the breeding patterns and the tides better than NOAA does can actually voice up and their voices will count. And it shows that we're supportive.

"This timeline, we've pushed it back another five years, it's very reasonable. The process does not take 10 years. Now that we have a model, it takes about anywhere from one to two years, according to the folks in the Department. It's just a matter of making sure they move, because often in this building we introduce a bill, and the department will say, the bill is not needed and we can do it through rules, and then three years later it hasn't happened. Thank you."

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

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

"Thank you, Mr. Speaker. Please register my no vote. Brief comment, Mr. Speaker. CBSFA is a good program. The problem I have with CBSFA is that I'm from the island of Molokai, and Moomomi is the place of what they're looking towards for CBSFA. I call out for transparency, the community there, which is the only access for mainly Native Hawaiians, in fact the only access was designated through Moomomi.

"The problem we're having there is enforcing, one, and being able to go when they need to go and catch limits on it. Those catch limits are I think good catch limits, but I think the transparency of it hasn't been that anything of but non-transparency.

"More so, the expansion from Mokio all the way to Kalawao County is a huge concern, as the recent layoff of 46 employees on the island. These Native Hawaiians do take to the oceans, so I want to note my no vote on this measure. Thank you."

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

Representative Holt rose and asked that the Clerk record an aye vote with reservations 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 861, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED SUBSISTENCE FISHING AREAS," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Cachola, Holt, Morikawa and Nakamura voting aye with reservations, with Representatives DeCoite, Har, Ito, Kong, Tokioka, Tupola and Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1079) recommending that H.B. No. 865, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 865, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, in opposition. SCR 1079 is called collective bargaining. I think it's a misnomer. It's not about collective bargaining, it's about OHA, it's about respecting their sovereignty, and I don't believe this bill does respect their sovereignty.

"My brief comment is that it doesn't respect the sovereignty of OHA, and if OHA wanted to become civil servants, I'm sure that they would be able to do that without a bill like this. So I would say that it's misnamed as it is. May I request comments into the Journal. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in strong opposition to this bill. I understand that there are arguments for and against this measure. But I would remiss to not remind this body of the autonomy that OHA has when it comes to manners such as these.

"This measure would not only go against present law but would also largely undermine the role of the board of trustees. It could also adversely affect their budget and how they operate, resulting 'in short-term disruptions to operations and the long-term restructuring of OHA ...' Which includes the higher cost to keep their personnel employed and lights on.

"I believe in the sovereignty of OHA and will be voting to keep it that way."

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

Representative DeCoite's written remarks are as follows:

"With reservations. While I do fully support the rights of employees to unionize and participate in collective bargaining, I feel this decision needs to be made by the employees themselves, not the legislature. *Mahalo.*"

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

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations to HB 865, HD 2, Relating to Collective Bargaining. This bill makes the Office of Hawaiian Affairs (OHA) subject to civil service and collective bargaining rights and gives OHA voting rights as a public employer.

"Mr. Speaker, by including OHA in the state civil service law and the collective bargaining process, it compromises OHA's Board of Trustees' decision making power over its own employees, which compromises OHA's autonomy from the executive branch. OHA's independence is established in HRS Chapter 10 which explicitly states that OHA's Board of Trustees, not the executive branch, has the power to determine OHA's direction.

"I would like to cite the testimony of the Office of Hawaiian Affairs.

This measure undermines the autonomy of the OHA Board of Trustees, as OHA's independent decisionmakers and fiduciaries of the Native Hawaiian Trust Fund. The amendment to HRS § 89-6 could result in the OHA Board of Trustees holding only 1 of 14 votes when negotiating a collective bargaining agreement involving OHA employees, whose salaries

make up a significant portion of OHA's operating budget. Coupled with the requirements of the Civil Service Law, HRS Chapter 76, OHA Trustees' ability to oversee and plan for personnel expenses would be reduced and subjected in large part to the decisions of the executive branch and Governor, who would hold 7 votes in collective bargaining negotiations involving OHA employees. Given such a voting imbalance, this measure would effectively require the OHA Board of Trustees to cede control over some of its key expenditures to the State.

"The OHA's testimony makes clear that this bill infringes upon the agency's independence which contradicts the HRS guaranteeing OHA's autonomy.

"For these reasons Mr. Speaker, I stand in support with reservations."

Representative Cachola 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. 865, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Cachola, DeCoite and Har voting aye with reservations, with Representatives Keohokalole, Tupola and Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1080) recommending that H.B. No. 1457, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1457, HD 2 pass Third Reading, seconded by Representative Evans.

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

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

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

Representative Cachola 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1457, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC LIFE," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Cachola, Matsumoto, Takayama, Tokioka and Tupola voting aye with reservations, with Representatives Choy, DeCoite, Har, Kong and Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1081) recommending that H.B. No. 263, HD 1, as amended in HD 2, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 263, HD 2 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. I'm going to be casting a no vote on this measure, but I wanted to explain it. I'm a strong proponent of the medical cannabis program. I wish we could get that term in the statutes so people are, when they're dealing with the medical product, they're calling it cannabis.

"But anyway, what I don't like is what I see as double taxation. If I'm incorrect, I'd love to be told that it's not double taxation, but at this point, I read it that way. So, yes to the medical cannabis, yes to the actual scientific term cannabis, but no to double taxation. Thank you."

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

Representative DeCoite's written remarks are as follows:

"With reservations. I feel patients should have access to medical marijuana. In this bill I am concerned about the high tax rate along with what appears to be a double tax. Patients shouldn't be overtaxed for their medicine.

"Also, for those patients that cannot smoke their medical marijuana, there should be access to edible products. Previous versions of this bill allowed for edible medical marijuana products, and I would like to see those provisions put back in this bill. *Mahalo*."

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

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

"Mr. Speaker, with reservations. I'm looking at this bill where certainly I favor medical cannabis, and I do favor the double taxation, because I believe that we do need the revenue, so we can take care of our needs.

"However, my concern with this measure and the other measure is that, that's my understanding that edibles have been taken out of the bill, because the Department of Health felt it wasn't ready. I believe it's the Department of Health's problem that it's not ready. Anyone who has made this major investment for the dispensaries, if they can't have edibles, they're going to have a very difficult time in dispensing their product.

"And so hopefully as this bill goes along we can look at the other side in the Senate, and hopefully maybe in conference look at including edibles back again. The Department of Health has had enough time to work on this measure. This has been going on for years right now, there's no excuse, and this will ultimately kill the project if we don't have edibles in there. Thank you very much."

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

"Mr. Speaker, I hadn't planned to speak on this. In opposition. I think that the good speaker from Maui needs a retort.

"The point is, this is for the sake of the kids, who empirically have been proven to mistakenly eat this marijuana, that is the edible, and they are the ones whose minds, brains and psychology is being protected, and that's why they've done it in other places. Be mindful of the edibles, because of the youth, because of the kids.

"So it's not to harm those who can't smoke, it's to protect those that confuse it with candy, of which it's very, very easily confused to be. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, second time, Mr. Speaker. I would like to request that the edibles portion of the Speaker's former remarks be adopted as my own. I strongly agree with him on that.

"We're talking about medical cannabis. And many people, the only way, when they're quite ill, the only way that they can ingest this will be through edibles. So it's like saying, we'll give you half a loaf to help you get better, but you can't have it in the way that you're going to be able to actually use the product.

"So yes, the edibles should go back in. And just as we protect our other medical prescriptions from children by the safety lock on the pill bottle, edibles can be protected in the same way, so it's cruel to take that out of the bill. It's cruel to those who are in medical need of cannabis."

"But I don't adopt the Speaker's comments about supporting the double taxation. All the other comments, yes. 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. 263, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Cachola, DeCoite and Souki voting aye with reservations, with Representatives Har, Thielen, Tupola and Ward voting no, and with Representative Ichiyama being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1082) recommending that H.B. No. 1471, HD 2, as amended in HD 3, pass Third Reading.

Representative Saiki moved that the report of the Committee be adopted, and that H.B. No. 1471, HD 3 pass Third Reading, seconded by Representative Evans.

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

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

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

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

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

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

"Reservations. May I explain quite briefly my reservation, give you some data. I'm yes for the bill because we are told that the Governor would like to improve this bill so that he does not have to veto it, like he did a similar bill last year.

"I'm with reservations because I'm doubtful of some of the claims given to us by Airbnb. I received 18 emails on this topic, all addressed to me, with the following line at the beginning. Quote, I am your constituent, a voter, and a member of the Airbnb community, unquote.

"Of the 18 emails that I received, we were able to find only three out of 18 that fit that description, and were voters in my district. In addition, we found two others that seemed to be voters in the State of Hawaii. All the others we could not find as voters.

"I suspect that a large number of these 18 people are not residents of the State of Hawaii. And I say that because, of these 18 names, one person has the last name of Li, L-I, which could be a Chinese name or a Korean name or a Vietnamese name. The other person has a name that begins with the

words 'rep' and then the name of a Representative sitting on this floor. That Representative is definitely not my constituent.

"All of the other names are not Hawaiian or Polynesian, they are not Filipino or Hispanic, they are not Japanese, they are not Chinese, and they are not Portuguese. I would contend that any typical list of voters in my district, and in most other districts, would have representatives from those groups.

"So I would contend that these people are, as they say, members of the Airbnb community, either by ownership from the mainland, hosting, or in some other way connected with Airbnb. But not constituents, and not voters.

"So, if this kind of inaccuracy in terms of this statement, constituent, voter, and member of Airbnb, is now transferred over to the contention that Airbnb hosts follow all applicable local county rules and laws, then I would like to see that evidence.

"We do not have that evidence, and under this bill, we could not have that evidence because this law, or this proposal, would shield the evidence behind the cloak of the Airbnb platform. So for that reason, I am in reservations. Thank you."

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

"Thank you, Mr. Speaker. I rise in support. This is a work in progress. It's a very difficult bill to work on, because we get caught up in the Airbnb discussion.

"But I just want to remind members that it's really about collecting taxes on people that offer these vacation rentals. And we have so many hotels, time shares, and so many people that play by the rules and pay their taxes. So we're trying to find the answer given now with the Internet and the ability for people to join these organizations and go on the Internet to actually lease their property.

"We're trying to find a solution. So I encourage our members to vote this and to participate in finding the right answer, because again it is a challenging task for us as policymakers, but I think it's the right thing to do. Thank you."

Representative LoPresti rose to respond, stating:

"Second time, still with reservations. I just wanted to say, I had a lot of similar emails as the Representative from Diamond Head, and one of the emails I got was from a senator, who I know is opposed to this bill. And she ain't my constituent, either. So there's a lot of interesting, not even thinly disguised deception going on, and I'll go reservations for now."

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

"Thank you, Mr. Speaker. I'm rising to oppose the bill. I also received a large number of emails. They would start off with that the person was a voter in my district and had a legal transient vacation unit which they needed to rent out. So when I went back to a number of these and I said, could you tell me if you have a non-conforming use permit with the City and County of Honolulu so you can be legal, back came the, oh, I'm sorry, I meant I was legal because I'm paying my GET tax and sometimes my transient accommodations tax. So the emails were very misleading.

"The bill, unfortunately, is going to allow that to continue. It says that the agent, meaning Airbnb or someone like that, must notify the operator that the subject property is required to be in compliance with applicable land use laws. Fine. They tell these people that sent me the email, you've got to be in compliance with applicable land use laws.

"What then does the owner do? Airbnb must then require attestation from the owner through specific language. And they put on there, like you see on a screen a lot of times, by accepting the terms of service, I agree and attest that I've reviewed all applicable laws and regulations and that my listing is in compliance. They're going to do that. Right now they're

operating outside of the law. A simple attestation is, they're easily going to click that.

"And there we go. We've just opened it wide up. We've provided a screen, a safety net, for all these illegal operators that claim they're operating legally. They'll continue to do so. Maybe we'll get the tax, but we'll destroy our local residential neighborhoods. Thank you."

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

"I stand in strong support. Unlike the other Representatives who have spoken, maybe I'm more in touch with my constituents, because I looked at the emails, and I know them, I know them personally. And I do know that they run legal Airbnbs.

"So I also looked at the emails in opposition, and I want to point out that almost all of those emails in opposition are the very type of people we want to dissuade from buying up affordable housing. These are people who do not live in the State of Hawaii, who basically remove affordable housing.

"And I want to remind the Representatives here that we use taxes two ways. One, not only to generate revenue, but it's also to dissuade illegal activities. And it's kind of odd that the people who are claiming that we are taxing this, we are actually supporting?"

"Look at all the cigarette taxes, look at all the sin taxes we've put in. These are used to dissuade, and, in fact, all of those anti-rule, anti-Airbnb people are saying that they are seeing it as a method of dissuading them from buying affordable housing.

"And that's one of the reasons why we should support this bill. It increases affordable housing and increases revenue. Thank you."

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

Representative Tokioka rose, stating:

"I'm sorry, Mr. Speaker, a point of clarification. I'm not sure if I voted with reservations on this bill, because the debate has been a while, so I want to make sure that my reservations has been recorded."

The Chair addressed Representative Tokioka, stating:

"Duly noted. With reservations for Tokioka on this measure."

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

"Mr. Speaker, I'd like to register my reservations on the current draft of the bill. Mr. Speaker, the changes that were made after the HD 1 have changed the purpose of the bill. It has added provisions in the bill that, in my mind, serves to undermine the purpose of the bill, the collection of the taxes, and the reporting by these short-term transient accommodation hosts to not only the Department of Taxation but also to the taxing powers of the counties.

"And so, with those issues that have not been vetted with the original Tourism Committee or the author of the bill, I am standing with reservations on the current version. Thank you."

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

"With reservations. And very quickly, just because the bill is a little bit messier than it's been, point of clarification. Folks should understand that Airbnb is just a platform, it's a website, it's the folks that use it that could be aboveboard or not.

"I did an analysis of the emails we received as well, in support. I crossed it with the county database, and out of the 21 emails, I believe, only four were legal as vacation rentals in my district.

"There's been talk about 30% of these rentals being from real estate companies. Well, that leaves 70% of people that are in the middle class, and they're just trying to rent out an extra room or *ohana* in order to stay in the middle class. So this is an issue with strong pros and cons on both sides, and I think it's prudent that we continue discussion throughout the Senate and conference. 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. 1471, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 45 ayes to 5 noes, with Representatives Creagan, DeCoite, Gates, Holt, Ing, Keohokalole, Kobayashi, LoPresti, Lowen, Matsumoto, Nakamura, Onishi and Tokioka voting aye with reservations, with Representatives Lee, Quinlan, Thielen, Tupola and Ward voting no, and with Representative Ichiyama being excused.

At 10:56 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 861, HD 2
H.B. No. 865, HD 2
H.B. No. 1457, HD 2
H.B. No. 263, HD 2
H.B. No. 1471, HD 3

At 10:56 o'clock a.m., Representative Saiki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:08 o'clock a.m.

THIRD READING

H.B. No. 113, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 113, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 314, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 314, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNMANNED AERIAL VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 179, HD 1:

Representative Saiki moved that H.B. No. 179, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, opposition, brief comment. Mr. Speaker, we are neither Australians nor in need of a system such as this, where if you come in second you can actually come in first, eventually. Because I think this is where, if we had a system like this, there would never be such a thing as a former congressman by the name of Charles Djou. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 179, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives McDermott, Tupola and Ward voting no, and with Representative Ichiyama being excused.

H.B. No. 282, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 282, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 308, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 308, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 11:10 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 113, HD 1
H.B. No. 314, HD 1
H.B. No. 179, HD 1
H.B. No. 282, HD 1
H.B. No. 308, HD 1

H.B. No. 415, HD 1:

Representative Saiki moved that H.B. No. 415, HD 1 pass Third Reading, seconded by Representative Evans.

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

"In strong support."

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 H.B. No. 415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS FOR SEXUAL ASSAULT," passed Third Reading by a vote of 50 ayes, with Representative Tupola voting aye with reservations, and with Representative Ichiyama being excused.

H.B. No. 456, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 461, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 461, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESISTING ARREST," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 553, HD 1:

Representative Saiki moved that H.B. No. 553, HD 1 pass Third Reading, seconded by Representative Evans.

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

"I wanted to register a no vote. And just real quick, I alluded in second reading to the fact that we had a bill about this last year, which we did. It handled a different part of it, but it was HB 2359, so it was talking about penal responsibility, which means are you fit in the event where you committed the crime, were you sane? And then it's fitness to proceed, which means are you sane when it's time to testify and be in court?"

"So last year what we did was we said that there should be three on the front end, which was were you sane, yes or no, in the beginning. And that,

if it wasn't a severe offense, then it could be one person saying that this person is fit to proceed.

"This one is suggesting that on the front end, we bring it down to one person. And the three people that it originally is, like right now, is a psychologist, a psychiatrist, and then one of both. And within the three of them, because it's different schools of thought, it helps to bring a more balanced perspective as to whether or not this person was mentally present when the crime happened. And I feel like, because we just switched it last year, and this is actually the opposite of what it is, saying that now we have one at the front end, and then three on the back end, it doesn't make any sense.

"I feel like the way that it is now, is making sure that we actually are sure that this person was mentally there when the crime happened, and it's three people on the front end, and they have different backgrounds, and they're making sure in the front end and one on the back. So that's why I'm in opposition. Thank you."

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

"Mr. Speaker, in support. I happen to know the person who has done more sanity exams in the State of Hawaii history than any other person. He tells me that in a vast majority of cases, perhaps in the range of 80% to 90%, it is pretty clear whether this person is sane or not, fit to proceed or not.

"So in a small number of cases, there may be a question, and it is in those cases that it would be good to have three examiners. This bill allows for that. The court, it says, in appropriate circumstances, may appoint an additional examiner or examiners.

"So I would contend that for a majority, a large majority of cases, this fits. And in the minority of cases where this does not fit, the court has an avenue to appoint additional examiners. Thank you."

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

"I stand in strong support. I just want to correct something that was stated. I haven't done it in over 10 years, but I used to do some court-appointed criminal defense. And it's not psychologist, psychiatrist, it is one chosen by the defendant, one chosen by the prosecutor, regardless of whether or not they're psychologists, psychiatrists, and one is the state mental examiner. This basically brings it down to one, the state mental examiner.

"Second thing I'd like to point out is when they did the statistics, Hilo, Third Circuit Court, Big Island, had the longest, 50 days, where there was this difference. What that means is people were being incarcerated, awaiting their fitness to proceed, even before trial. So it's like one year, I think it's 50 weeks, one year where they're not even determined whether or not they committed a crime, because there's no determination whether or not they're even fit to proceed.

"So this is a question of justice, this is a question of expediency, and I stand in strong support. Thank you."

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

"In strong support. We've had significant amount of discussion with the Hawaii State Hospital system. A lot of times, these are individuals who have committed a crime, waiting to proceed with trial, so a lot of times the problem is because we require three examinations as opposed to one examination, which is the trend in the rest of the states, we're one of the only ones that requires three.

"So during that time, these individuals who have been charged with the crime is sitting at state hospital with minimal security and which is resulting in different type of issues at the state hospital, while they're never going to, it's going to take numerous number of years before they even get to trial, while the victims of these heinous crimes are just sitting and

waiting for determination of whether these individuals will be fit. So, strong support."

The motion was put to vote by the Chair and carried, and H.B. No. 553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DEFENDANTS' FITNESS TO PROCEED," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Thielen, Tupola and Ward voting no, and with Representative Ichiyama being excused.

H.B. No. 554, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 554, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ORDERS FOR TREATMENT OVER OBJECTION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 11:17 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 415, HD 1
H.B. No. 456, HD 1
H.B. No. 461, HD 1
H.B. No. 553, HD 1
H.B. No. 554, HD 1

H.B. No. 1033, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1033, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1235, HD 1:

Representative Saiki moved that H.B. No. 1235, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Ruling on a conflict. I practice family law," and the Chair ruled, "no conflict."

Representative San Buenaventura continued, stating:

"Request that it, for today as well as for the rest of the session," and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 1235, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FAMILY LAW ARBITRATION ACT," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1581, HD 1:

Representative Saiki moved that H.B. No. 1581, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, the proposition of this bill is simple, show us your tax returns or we'll keep you off Hawaii's ballot.

"I'd like to see the president's tax returns. I'd like those to be public. But I oppose any measure that tries to use the voters of Hawaii as leverage to accomplish that. I proudly voted for the candidate that released her tax returns. As a matter of fact, a majority of the country did. However, the candidate who kept his returns secret won.

"I think that some may argue that there's trust and transparency that's needed, and I agree with that. At this time, I desperately agree with that. But I think that any action should be taken at the federal level, rather than piecemeal, state by state. And that's because I think this is an ambitious goal. I think it's a long shot.

"I cringe to see us, our esteemed body, bar the voters of Hawaii from selecting a major presidential candidate. I think the public would call into question the integrity of our elections. I think the free and fair elections that we hold in Hawaii would have an asterisk next to them. Once again, I believe the best course of action is a federal solution, providing uniformity across all 50 states.

"To those voters who voted for Trump, I do not agree with them, and I do not agree with his beliefs. But I believe even more strongly that we as Americans have the right to vote for our freely chosen candidate, even if I oppose him.

"In this body, Mr. Speaker, we have stood up for the minority, time and time again. People who are different from us, people who aren't like us. In this case, I do not share the beliefs of our president. However, I must stand up for them, and I think that if the tables were turned, and I hope, they would stand up for my beliefs if I am in the minority. Thank you, Mr. Speaker."

Representative Nakamura rose and asked that the Clerk record an aye vote with reservations for her, 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 Har rose in opposition to the measure and asked that the remarks of Representative Ohno be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

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

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

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

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

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

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

"Thank you, Mr. Speaker. In support. Just very briefly, the highest office in the land, the most important office in the land, with the greatest reach not only with domestic policy but also foreign, is the only office in the land also not subject to federal conflict of interest laws, ethics regulations, and other things that all the rest of us throughout the rest of the country, who have a responsibility to stand up and advocate for our constituents and for our neighbors and families here in the United States.

"Already we have seen significant cause for concern, not only with this administration but perhaps setting a precedent and a standard by which future administrations down the road may also avail themselves. I think we have an obligation to ask these difficult questions, especially now.

"This bill is not about a Democrat or a Republican. In fact, any particular presidential candidate applies to anyone who would occupy a future office. But one thing it does do is address some of the concerns being raised here and now, today, with a current president, for example, who, while I think many of us would disagree with his policies, have raised significant issues which we have no remedy otherwise to fix.

"Decisions the President has made are on things already in place, on the Dakota Access Pipeline, for example, while simultaneously having investments in the company that would benefit directly from those decisions, is the tip of the iceberg in reporting from the Wall Street Journal, which has identified over 500 other conflicts of interest which could raise significant ethical, fiscal and legal concerns for our nation.

"Mr. Speaker, this bill is important not just because we as the State of Hawaii feel that the presidency is important and ought to be accountable to all voters, but that the very fabric of our democracy, that transparency in elections, the ability for your average citizen to stand up and know who it is they're voting for and why, and understand that they're not going to be beholden to a company, or a partner, or their own financial interests, or even another country, is paramount in our democracy and is something that has never been challenged in the way that it is now.

"We have an obligation as a state, Mr. Speaker, to act, because the Federal Government will not, anytime soon. There is no realistic path forward, and we've already seen this congress defer multiple actions, multiple bills and resolutions, that would even begin to ask what is appropriate behavior for a president.

"We have an obligation not to ourselves, but to our future generations who would be beholden to whomever is elected next, to make sure that that person has full transparency and accountability and serves on behalf of the people of this country, and not on behalf of themselves or anyone else. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. A no vote, and just a few brief comments, Mr. Speaker. I understand the passion of the Representative from Waimanalo, and I think many of us feel the same way. But the concerns that I have would relate to the floor speech that the Chair from IAC made, and a couple of other things.

"When the attorney general of the State of Hawaii went to Washington, D.C. and they had a sit-down with the President, he specifically asked, were you one of the states that voted against and are suing me for the travel ban.

"I believe we have four electoral votes in the State of Hawaii. I'm sure, as we watch him on television, that the President is looking at this, and I'm not sure if he's going to be favorable on a caucus like this sending him that message. And those are the concerns that we have, that the unintended consequences might be great.

"I think we all know that this legislature, the House and the Senate, has the smallest number of Republican members in both bodies, six in the House, and none in the Senate.

"So, when you're the president and you're looking at all of these things happening, I hope he doesn't take into consideration some of these things that are happening and make bad decisions when it comes to projects that we get in Hawaii, and the funding from the Federal Government. So, for those reasons, Mr. Speaker, thank you for the opportunity, no vote."

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

"With reservations. I appreciate the intent of this bill. I'm speaking in reservations, not in deference to the current administration, but to the process.

"Uniformity of standards is important. Yes, the presidential office is exempt from a lot of conflicts of interest that we aren't, but we do not need to disclose our tax returns in order to run for office. If we do pass something like this, we will have that pressure. Folks will be saying, constitutionally every elected official should follow suit just to make the standards uniform.

"Also, it's been noticed that the free press does work. There's been all these conflicts identified by the Washington Post or Wall Street Journal, I believe, with or without getting ahold of tax returns. If the public wants tax returns, it will make it clear in the election. And unfortunately, that wasn't the case this time around.

"There's a presumption that this bill is about conflict of interest and nothing else, but the pressure to release tax return or not, that ability, that agency is, goes far beyond that. I'm afraid that someone like me with student debt could be shamed. There's other reasons, maybe you have some history that you don't think the election should really be about, it should be about the issues and what the public wants, and not class shaming because you're too poor.

"Recently, the presidential elections have been multi-millionaires, billionaires now, running, and the last thing you want to see is folks saying, ha ha ha you're so poor, you shouldn't represent us.

"And this bill might be, as the Representative from Hawaii Kai might say, a nice poke in the eye from Democrats, but I don't think it necessarily serves the public. Thank you."

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

"Mr. Speaker, in opposition. A brief comment that I didn't intend to make, but inevitably I guess the presidential issue does come up to the floor of this learned House.

"First of all, I really appreciate the Chair of IAC and his empathy for the minority. That's a vicarious statement, if you will, for what we on this side of the aisle often go through, often feel.

"But now we as a state, Mr. Speaker, are a minority. I think the reality spoken by the Representative of Kauai needs to be taken to heart. Some of us are trying to bridge what otherwise is an outlier in the national political culture. Some of us are trying to work with the White House, some of us are trying to work with departments, particularly for funding that's already been cut for some particular special programs for special indigenous people.

"Mr. Speaker, it's an uphill climb, and I think we have to heed the message of Harry Truman. If you will recall when MacArthur and Harry Truman were kind of going at it with each other, Truman was trying to hold the general down from getting out of line, and they were going to have a meeting on Wake Island. Mr. Truman was the first to land, and General MacArthur purposely kept circling the airport just to keep his president waiting. And there is the message. Truman said, as he was approached by MacArthur, General, I don't give a damn what you think of Harry Truman, but this is your president, and you respect him.

"Harry Truman's message can make sense today. We have to respect our president, we have to work with our president, just like you have to work with the minority, as the minority, as we have worked with you as the majority. Let us be tolerant, let us be reasonable, let's use the data, let's not use opinion and name-calling and all the things that are just thrashing around in this nation. The sky is not going to fall.

"We are a land of laws, and not of individuals. Whoever does wrong gets caught and gets put before the jurors and for the courts. So, Mr. Speaker, I think this bill is a little bit in that direction to where we call in question our leaders at the national level, and I think we just need to take a deep breath and know that the sky's not going to fall, regardless of who's the president of this great nation. Thank you, Mr. Speaker."

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

"Mr. Speaker, thank you. In opposition, brief comment. I'd like to insert the words of the Chair from IAC as if they were my own. And really, from the Aloha State, we've got to work together, we might not agree on everything, and I think we need to look at what's happening before us as we need to be funding our schools, our *kūpuna*, and figuring out where

we're going to get this funding. So with that being said, in opposition, Mr. Speaker. Thank you."

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

Representative Belatti rose, stating:

"Thank you, Mr. Speaker. In opposition. Mr. Speaker, who says that floor debate cannot change opinion? I would like to adopt the words of the Representative from Nuuanu as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Belatti continued, stating:

"I would also like to say, I think in response to the Representative from Kauai who mentioned our state attorney general who made the choice to sue Trump, I think we have to be strategic in how we interact with this administration, and any administration, and there are times when the State of Hawaii will have to stand up.

"But I think on this matter, when we are told as young leaders, pick your battles wisely, I think my opposition grows out of the fact that we should pick our battles wisely. Thank you, Mr. Speaker."

Representative Morikawa rose, stating:

"Thank you. I'd like to change reservations to a no vote and adopt the words of the Chair of IAC. Thank you," and the Chair "so ordered." (By reference only.)

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

"Strong support. First, I'd like to adopt the words of the Representative from Waimanalo as my own," and the Chair "so ordered." (By reference only.)

Representative LoPresti continued, stating:

"Thank you. And I really like the, some wonderful things said by the Chair of IAC, and I agree in spirit with a lot of what he said. I disagree with the conclusion, however. I'm just dismayed that it seems that some of the tenor of conversation is that, let's give in to fear of what he'll do in response. And that is no way to lead.

"Ethics and transparency ought not to be a partisan issue, Mr. Speaker, but it seems more and more on the national level, if you're for ethics and you're for transparency, then it's a partisan issue.

"And that's not okay, and I think it's important to stand with integrity to say, yeah, if you're going to call everything that's a criticism of you fake news, well then let's hear it from the source itself and see what the reality is. Because we've all, and the conversation has been so detached from reality that people have lost their bearings. And this is basic ethics and integrity, and therefore strong support."

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

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

"Thank you, Mr. Speaker. In support. I have a lot of the concerns that were raised, but at the same time, Mr. Speaker, I watch a lot of Fox News. I don't overthink my emails, and watch a lot of Fox News. And we do have a presidential candidate who said he would release his tax returns, not obligated, but he said he voluntarily would, prior to being elected president.

"After being elected president, he said he had no intentions of releasing his tax returns. As a candidate, he has said that he was waiting for an IRS audit to finish before he would release those returns. But his spokesperson, as well as he, has said now that he will not be releasing those returns.

"So I think there is something to the measure, but I do have the same amount of caution we've heard on the floor today. Thank you."

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

"Mr. Speaker, I rise in opposition again. As I said on the second reading, I don't think it goes far enough, but I won't rehash those comments.

"But I will point out that, when President Obama was running for his second term, there were several states that passed bills requiring birth certificates. And those were adjudicated in courts, and the courts said, it's up to the party who they put forward, it's not our decision as a court to make that determination.

"So there were several states, Arizona was one that comes to mind, there were a couple down South. He never produced a birth certificate in 2012, but the states did not have the right, according to the courts, to put these sorts of regulations on the presidential candidate when the national Democratic Party puts them forward or the Republican national party puts them forward. So I think that would be, to bear that in mind.

"Second, the contents of the tax returns, I will put my Nostradamus hat on and say that he made a lot of money and paid as little as legally possible. And for, to see the companies he has an interest in, you would go to the SEC financial disclosure, which is about 500 pages long. So those are my comments, sir."

The Chair addressed Representative McDermott, stating:

"Thank you. And just a clarification, Representative McDermott. I think the first time you spoke on this bill, you actually were in support and said it doesn't go far enough. Is that correct?"

Representative McDermott: "Right. That's right. Second reading, I was in support with reservations. Now I'm against it."

Representative Aquino 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 H.B. No. 1581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 35 ayes to 15 noes, with Representatives Aquino, Cullen, Ing, Kobayashi, Nakamura, Onishi, Takayama and Yamane voting aye with reservations, with Representatives Belatti, Choy, DeCoite, Har, Ito, Kong, Matsumoto, McDermott, Morikawa, Ohno, Oshiro, Say, Tokioka, Tupola and Ward voting no, and with Representative Ichiyama being excused.

H.B. No. 141, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 145, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 145, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NET INCOME TAX," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 11:37 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1033, HD 1
H.B. No. 1235, HD 1
H.B. No. 1581, HD 1
H.B. No. 141, HD 1
H.B. No. 145, HD 1

H.B. No. 147, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 147, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING HAWAII NET INCOME TAX LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 209, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 209, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 932, HD 1:

Representative Saiki moved that H.B. No. 932, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. In support, but I have concerns. There are some real game-changing tax bills that we're moving, some progressive ones to give tax breaks, and I'm concerned because this isn't one of them.

"It's important, I totally support extending the food excise tax credit, we should do that. My concern is, we raise it by two cents, two pennies a day. If I was walking on the street and I saw a homeless man, I sure as heck wouldn't give him two cents. I'd be ashamed to do that.

"And my fear is that some of the progressive things that we're moving on tax reform might die, and then this one makes it through, and then we can all go out and pat ourselves on the back, that we increased the tax credit, but the reality is, we gave them two cents. And that's my concern. That's my two cents. I'm in support."

The motion was put to vote by the Chair and carried, and H.B. No. 932, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1309, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 471, HD 1:

Representative Saiki moved that H.B. No. 471, HD 1 pass Third Reading, 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 H.B. No. 471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND," passed Third Reading by a vote of 50 ayes, with Representative Say voting aye with reservations, and with Representative Ichiyama being excused.

At 11:40 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 147, HD 1
H.B. No. 209, HD 1
H.B. No. 932, HD 1
H.B. No. 1309, HD 1
H.B. No. 471, HD 1

H.B. No. 690, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 690, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX RATES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 930:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 930, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 1354, HD 1:

On motion by Representative Saiki, seconded by Representative Evans and carried, H.B. No. 1354, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE ALLOWANCE," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 887, HD 1:

Representative Saiki moved that H.B. No. 887, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, before I begin my remarks in strong support of House Bill 887, HD 1, I'd like to thank the leadership for appointing me to address unfunded liability, and also to the Chair of Finance for giving me the latitude to work on it. And also I'd like to thank the members of my subcommittee, Vice Speaker Mizuno and Minority Leader Andria Tupola.

"Now, the reason why I devoted most of my time on this is because of our unfunded liability. As you all know, there's not enough money to even fund our state budget and other programs that we need. So the best way that I have to look into, is how best we can address our unfunded liability.

"The facts are as follows. On the health unfunded liability, we have about \$11 billion. When it comes to pension unfunded liability, it's over \$12 billion. To prefund our health unfunded liability, on health alone, based on Act 268, we have to put in \$500 million each year for the next 30 years, starting fiscal year 2018-2019.

"And for the pension unfunded liability as reported by the Advertiser, we have to put in at least \$300 million each year for up to 30 years and beyond. The total amount is equivalent to about \$800 million each year. And who's going to pay for all that?

"On the portion of the state to prefund health unfunded liability, it's coming mostly from taxpayers. The same thing with pension unfunded liability. The rest is being paid by members, active employees, retirees and dependents. Where are we going to get the money to do that?

"The way I look at it, House Bill 887, it works this way. Since health unfunded liability is not required to be prefunded under the Government Accounting Standards Board, we can cap the prefunding level to at least \$2 billion. Once we reach \$2 billion, all the employers, the counties, the State, Board of Water Supply, HART, will no longer have to put in their money, thereby freeing \$500 million of their obligation to prefund the health unfunded liability.

"You can now divert \$300 million of that to prefund pensions, so that you address that. You can save taxpayers money. They don't have to increase contributions of our active employees. There is a remaining \$200 million left of what you have freed up.

"Before addressing that, I'd like to thank the Governor for coming up with Act 268 to prefund, and I know that we can use the extra money the way he did, take some of that, and if he can do it, we can do it, too, to save a lot of taxpayers' money.

"The amount of \$300 million will be more or less used to fund the pension unfunded liability. The remaining \$200 million can be used for the State and county, road repairs and improvements, to offset the State increasing gas tax, and to the counties not to raise vehicle weight, property tax, vehicle registration, trash pickup or collection, and increase of bus fare."

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

Representative Cachola continued, stating:

"Thank you very much. The amount of money that's going to go to the City and County of Honolulu will be more than enough to cover for what they raise for the increase in the weight tax, gasoline tax, *et cetera*.

"Additionally, the \$200 million can be used to fund collective bargaining agreements on the part of the State, education, including funding to address the teacher shortage, affordable housing, the homelessness problem, and Kupuna Care. On the City and County of Honolulu, they can also use that to address some of their needs on the rail transit project.

"If we pass House Bill 887, HD 1, we should now request the State and the city to not impose any new fee increases and tax hikes which would overburden our taxpayers. Instead, we should be offering badly needed fiscal relief for our taxpayers. This proposal is the best way that I think we can address our unfunded liability in the most affordable way we could.

"In conclusion, House Bill 887, HD 1 will allow us to address both health and pension unfunded liabilities without having to increase taxes, lay off employees, cut back benefits or increase employee contributions. If we pass this bill out, we can avoid overburdening our taxpayers, especially those who are a paycheck away from being homeless.

"That's the reason why we are all dedicating this bill to our constituents. A lot of them are working two or three jobs, a paycheck away from being homeless, and it's the best way for us to at least help them out.

"And also to our young and future generations. And I got my incentive to look into this. Every time I look at the pictures of my grandkids, I ask this question, you will be saddled with this obligation unless we do something about it. For these reasons, I strongly urge my colleagues to please vote in support of this bill. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 887, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNFUNDED LIABILITIES," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

H.B. No. 888, HD 1:

Representative Saiki moved that H.B. No. 888, HD 1 pass Third Reading, seconded by Representative Evans.

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

"Mr. Speaker, in strong support of House Bill 888, HD 1. This bill is only a feasibility study of providing health benefits to state and county employees using a self-insured model. The rationale for this bill is to further enhance the solutions proposed under House Bill 887, HD 1, with the goal of saving hundreds of millions of dollars each year for the next 30 years or beyond.

"In my research, I've devoted a lot of my time to this. I've found that 46 out of 50 states now self-insure or self-fund at least one of their employee healthcare plans. Of 46 states, 20 states fully self-fund all of their health plan offerings.

"I'm working with the National Conference of State Legislatures, his name is Mr. Richard Cauchi, and I was informed that out of the 20 states that chose to self-fund all of their health plan offerings, not a single one had gone back to being fully-insured.

"I sent emails to 20 of the states that are fully self-insured, and I got positive responses from several, one of which is the State of Mississippi, and they stated that for the past six years they haven't raised their premiums. Anytime you don't raise premiums, you save a lot of money.

"The other state is the State of Utah, where self-funding is the choice of most large employers in that state. And the reason for that is, when you self-fund, you are going to control costs, save money, and customize benefits. Several reasons why so many employers in Utah chose self-funding include no profit margin or risk charge, low administrative costs, tax savings, earned interest and pharmacy savings. Last year Utah received over \$10 million in pharmacy rebates, and paid it all back to the risk pool that earned them.

"I have also learned that the State of Wisconsin recently voted to go self-insured, and their plan is they will be saving more than \$60 million each year going forward.

"The City of Philadelphia, in 2008, their premium was \$98.4 million in premiums, which dropped to \$79.5 million in 2012, that's over \$20 million less, and dipped another \$3 million by 2013.

"I've been informed that no health insurance carrier in Hawaii has a health insurance plan with \$2 billion in reserve. Where did I get that \$2 billion? When you cap the \$2 billion and when we move to self-insured, we can use the \$2 billion as reserve to our self-insured plan. That will give us more or less insurance, or insure us, for success.

"House Bill 888, together with House Bill 887, HD 1, will allow us to address both health and pension unfunded liability crisis. If not, our options to prefund \$800 million annually are as follows. Increase GET tax on the part of the State, increase property tax on the part of the county, we can reduce benefits to all our employees, reducing the public employment workforce, increasing employee contribution, or a combination of what I stated.

"Under this plan, we are not going to change anything. If we convert Hawaii's employee health insurance coverage from fully-insured to self-insured, with \$2 billion reserve, we stand a better chance of guaranteeing healthcare benefits to all our public workers."

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

Representative Cachola continued, stating:

"There's no need to prefund anymore once we do this. House Bill 888, HD 1 means we can avoid overburdening our taxpayers, because, just like I said, most of the money that we prefund comes from our taxpayers.

"By passing out this bill, and it's only a feasibility study, if the study shows a substantial cost savings by converting to a self-insured model, we will increase our chances for success. For these reasons I strongly support and urge my colleagues to support House Bill 888, HD 1. Thank you."

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

"Thank you, Mr. Speaker. I rise in strong support of this bill. Our healthcare costs are escalating, we're at the mercy of one large insurer in this state, we have over 100,000 state employees, and in my view, we should at least look at this possible option for self-funding, because it really could be the salvation of our health care, long term. So thank you to the previous speaker, and may I have his words entered as my own? Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and H.B. No. 888, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADDRESSING THE HEALTH UNFUNDED LIABILITY," passed Third Reading by a vote of 50 ayes, with Representative Ichiyama being excused.

At 11:55 o'clock a.m., the Chair noted that the following bills passed Third Reading:

- H.B. No. 690, HD 1
- H.B. No. 930
- H.B. No. 1354, HD 1
- H.B. No. 887, HD 1
- H.B. No. 888, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 39 through 44) and concurrent resolutions (H.C.R. Nos. 74 through 80) were referred to Printing and further action was deferred:

H.R. No. 39, entitled: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A FEASIBILITY STUDY RELATING TO INSURANCE POLICIES AND PREMIUMS FOR PROPERTIES THAT ARE CURRENTLY LOCATED WITHIN LAVA ZONES ON THE ISLAND OF HAWAII," was offered by Representative San Buenaventura, by request.

H.R. No. 40, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF PRIVATE DETECTIVES AND GUARDS TO REVIEW THE CURRENT LAWS, REGULATIONS, PROCEDURES, AND FEES ASSOCIATED WITH THE REGISTRATION OF SECURITY GUARDS," was jointly offered by Representatives Evans and Nishimoto.

H.R. No. 41, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND DEPARTMENT OF LAND AND NATURAL RESOURCES TO WORK IN CONJUNCTION TO TRANSFORM THE BLACKTOP PARKING LOT IN FRONT OF IOLANI PALACE INTO A PEDESTRIAN FRIENDLY ZONE," was jointly offered by Representatives Ward, Creagan, Evans and Mizuno.

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO EXAMINE WWOOFING IN HAWAII, REVIEW RELEVANT HAWAII LABOR LAWS, AND MAKE RECOMMENDATIONS ON HOW TO PROTECT THESE WORKERS," was offered by Representative Evans.

H.R. No. 43, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE AND SUBMIT A REPORT ON TITLED, FORMULA DRIVEN, AND DISCRETIONARY FEDERAL FUNDS FOR WHICH THE STATE IS ELIGIBLE," was offered by Representative Evans.

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING AN INCREASED PRESENCE BY THE HONOLULU POLICE DEPARTMENT IN THE CHINATOWN AND DOWNTOWN HONOLULU AREAS," was jointly offered by Representatives Holt, Aquino, Choy, Evans, Gates, Johanson, Ohno, Quinlan, Saiki, Say, DeCoite, Ito, Kobayashi and Morikawa.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO CONDUCT A FEASIBILITY STUDY RELATING TO INSURANCE POLICIES AND PREMIUMS FOR PROPERTIES THAT ARE CURRENTLY LOCATED WITHIN LAVA ZONES ON THE ISLAND OF HAWAII," was offered by Representative San Buenaventura, by request.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF PRIVATE DETECTIVES AND GUARDS TO REVIEW THE CURRENT LAWS, REGULATIONS, PROCEDURES, AND FEES ASSOCIATED WITH THE REGISTRATION OF SECURITY GUARDS," was jointly offered by Representatives Evans and Nishimoto.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO EXAMINE WWOOFING IN HAWAII, REVIEW RELEVANT HAWAII LABOR LAWS, AND MAKE RECOMMENDATIONS ON HOW TO PROTECT THESE WORKERS," was offered by Representative Evans.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE AND SUBMIT A REPORT ON TITLED, FORMULA DRIVEN, AND DISCRETIONARY FEDERAL FUNDS FOR WHICH THE STATE IS ELIGIBLE," was offered by Representative Evans.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT KANEOHE, KOOLAUPOKO, OAHU, FOR THE MAINTENANCE AND REPAIR OF THE EXISTING PIER, AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was offered by Representative Keohokalole.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASED PRESENCE BY THE HONOLULU POLICE DEPARTMENT IN THE CHINATOWN AND DOWNTOWN HONOLULU AREAS," was jointly offered by Representatives Holt, Aquino, Choy, Evans, Gates, Johanson, Ohno, Quinlan, Saiki, Say, DeCoite, Ito, Kobayashi, Morikawa and Nakashima.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO ESTABLISH A WORKING GROUP TO STUDY THE POTENTIAL TRANSFER OF MANAGEMENT AND MAINTENANCE OF THE ROYAL MAUSOLEUM AT MAUNA 'ALA TO ONE OR MORE APPROPRIATE NONPROFIT ORGANIZATIONS," was offered by Representative Yamane.

ANNOUNCEMENTS

At this time, the Chair stated:

"I'm going to ask for your kind indulgence. I wanted to thank all the members. I think we're breaking a new record. At the break I talked to Speaker Souki, who said this would be the earliest that he's known in his history that we're going to end a crossover.

"I wanted to thank the chairs, especially the Finance Chair, JUD Chair, CPC Chair, I know you had a ton of bills, great job. Majority Leader did a great job at working a lot of the bills for Thursday and Friday. The members, two words, everybody was very respectful, and if there's one word to define all of you, efficient. Thank you so much."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R. Nos.</u>	<u>Referred to:</u>
36	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
37	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance
38	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance

39	Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	202	Committee on Health, then to the Committee on Judiciary
		203	Committee on Health, then to the Committee on Judiciary
40	Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	327, SD1	Committee on Judiciary, then to the Committee on Finance
		333, SD1	Committee on Judiciary, then to the Committee on Finance
41	Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	367	Committee on Transportation, then to the Committee on Finance
42	Jointly to the Committee on Agriculture and the Committee on Labor & Public Employment, then to the Committee on Judiciary	369, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
43	Committee on Education, then to the Committee on Finance	373	Committee on Health, then to the Committee on Consumer Protection & Commerce
44	Committee on Judiciary, then to the Committee on Finance	393	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
<u>H.C.R.</u>			
<u>Nos.</u>	<u>Referred to:</u>	399, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Health, then to the Committee on Finance
70	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	417	Committee on Judiciary, then to the Committee on Finance
71	Committee on Veterans, Military, & International Affairs, & Culture and the Arts, then to the Committee on Finance	422, SD1	Committee on Human Services, then to the Committee on Judiciary
72	Committee on Judiciary, then to the Committee on Finance	438	Committee on Judiciary
73	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance	440, SD1	Committee on Judiciary, then to the Committee on Finance
74	Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance	443	Committee on Judiciary
		444	Committee on Judiciary
75	Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary	609	Committee on Intrastate Commerce, then to the Committee on Consumer Protection & Commerce
		611, SD1	Committee on Housing, then to the Committee on Consumer Protection & Commerce
76	Jointly to the Committee on Agriculture and the Committee on Labor & Public Employment, then to the Committee on Judiciary	618	Committee on Education, then to the Committee on Judiciary
77	Committee on Education, then to the Committee on Finance	629, SD1	Committee on Water & Land, then to the Committee on Judiciary, then to the Committee on Finance
78	Jointly to the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, then to the Committee on Finance	712	Committee on Finance
79	Committee on Judiciary, then to the Committee on Finance	872, SD1	Committee on Judiciary, then to the Committee on Finance
80	Jointly to the Committee on Water & Land and the Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Finance	901	Committee on Economic Development & Business, then to the Committee on Judiciary
		914, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
		915, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
49, SD1	Committee on Education, then to the Committee on Labor & Public Employment	916, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
147	Committee on Health, then to the Committee on Finance	917, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
149	Jointly to the Committee on Labor & Public Employment and the Committee on Human Services, then to the Committee on Finance	918, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
<u>S.B.</u>			
<u>Nos.</u>	<u>Referred to:</u>		

- 919, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 920, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 921, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 922, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 923, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 924, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 925, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 926, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 944, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 949, SD1 Jointly to the Committee on Intrastate Commerce and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 961 Committee on Ocean, Marine Resources, & Hawaiian Affairs, then to the Committee on Judiciary
- 966, SD1 Jointly to the Committee on Water & Land and the Committee on Housing, then to the Committee on Finance
- 969 Committee on Labor & Public Employment, then to the Committee on Finance
- 975, SD1 Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Judiciary
- 981, SD1 Committee on Labor & Public Employment, then to the Committee on Finance
- 984 Jointly to the Committee on Labor & Public Employment and the Committee on Health, then to the Committee on Consumer Protection & Commerce
- 990, SD1 Jointly to the Committee on Water & Land and the Committee on Energy & Environmental Protection, then to the Committee on Finance
- 1099, SD1 Committee on Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
- 1156 Committee on Economic Development & Business, then to the Committee on Finance
- 1255 Committee on Agriculture, then to the Committee on Finance
- 1271 Committee on Judiciary, then to the Committee on Finance

ADJOURNMENT

At 11:56 o'clock a.m., on motion by Representative Evans, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, March 9, 2017. (Representative Ichiyama was excused.)