

## THIRTY-SEVENTH DAY

Friday, March 24, 2017

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017, convened at 12:10 o'clock p.m., with Vice Speaker Mizuno presiding.

The invocation was delivered by Mr. Kenneth Wong, after which the Roll was called showing all Members present with the exception of Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fifth and Thirty-Sixth Days was deferred.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 390 and 391) were received and announced by the Clerk:

Sen. Com. No. 390, transmitting S.C.R. No. 31, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONDUCT AN EXTENSIVE STATEWIDE PUEO HABITAT INVENTORY," which was adopted by the Senate on March 23, 2017.

Sen. Com. No. 391, transmitting H.B. No. 73, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIAL PROCEEDINGS," which passed Third Reading in the Senate on March 23, 2017.

Representative Saiki moved to disagree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen were excused.)

H.B. No. 73, HD 1, (SD 1)

## INTRODUCTIONS

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

Representative Morikawa introduced her constituent, Mr. Klayton Kubo; and friend, Ms. Suzi Goodness.

## ORDER OF THE DAY

## REPORTS OF STANDING COMMITTEES

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1245) recommending that S.B. No. 272, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 272, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RAT LUNGWORM DISEASE," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1246) recommending that S.B. No. 560, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 560, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN LANGUAGE," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1247) recommending that S.B. No. 723, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 723, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1248) recommending that S.B. No. 848, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 848, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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 S.B. No. 848, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION," was referred to the Committee on Finance, with Representative LoPresti voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1249) recommending that S.B. No. 1040, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1040, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1250) recommending that S.B. No. 1082, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1082, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1251) recommending that S.B. No. 1162, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1162, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII PROMISE PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Morikawa and Woodson, for the Committee on Human Services and the Committee on Education, presented a report (Stand. Com.

Rep. No. 1252) recommending that S.B. No. 500, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 500, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1253) recommending that S.B. No. 534, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 534, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KUPUNA CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1254) recommending that S.B. No. 522, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 522, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1255) recommending that S.B. No. 21, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 21, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1256) recommending that S.B. No. 511, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 511, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE FACILITIES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Morikawa, for the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1257) recommending that S.B. No. 2, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1258) recommending

that S.B. No. 376, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 376, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 376, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERISLAND TRANSMISSION SYSTEM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative LoPresti voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1259) recommending that S.B. No. 665, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 665, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1260) recommending that S.B. No. 1104, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1104, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST MAUI ALL NATURAL ALTERNATIVE, LLC," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Lee and Creagan, for the Committee on Energy & Environmental Protection and the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1261) recommending that S.B. No. 1239, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1239, SD 1, entitled: "A BILL FOR AN ACT RELATING TO RAPID OHIA DEATH," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1262) recommending that S.B. No. 505, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 505, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 505, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with

Representative Kong voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1263) recommending that S.B. No. 786, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 786, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Belatti and Morikawa, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1264) recommending that S.B. No. 536, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 536, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FALL PREVENTION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Belatti and Morikawa, for the Committee on Health and the Committee on Human Services, presented a report (Stand. Com. Rep. No. 1265) recommending that S.B. No. 975, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 975, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Belatti and Ohno, for the Committee on Health and the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 1266) recommending that S.B. No. 371, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 371, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF DENTISTRY AND DENTAL HYGIENE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1267) recommending that S.B. No. 783, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 783, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1268) recommending that S.B. No. 1255, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1255, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE

OF SPECIAL PURPOSE REVENUE BONDS TO HONOKAA LAND COMPANY, LLC," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1269) recommending that S.B. No. 1288, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1288, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR HPC FOODS, LTD.," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1270) recommending that S.B. No. 1292, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1292, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HILO COMMUNITY ECONOMIC DISTRICT," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1271) recommending that S.B. No. 26, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 26, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE OFFICE OF THE PROSECUTING ATTORNEY FOR HAWAII COUNTY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1272) recommending that S.B. No. 137, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 137, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNIVERSITY OF HAWAII RESEARCH," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1273) recommending that S.B. No. 207, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 207, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1274) recommending that S.B. No. 251, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 251, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1275) recommending that S.B. No. 490, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 490, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MATERIAL WITNESS ORDERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1276) recommending that S.B. No. 491, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 491, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF THE PROSECUTING ATTORNEY OF THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1277) recommending that S.B. No. 872, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 872, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1278) recommending that S.B. No. 981, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 981, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS BOARD," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1279) recommending that S.B. No. 992, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 992, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VESSELS AGROUND," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1280) recommending that S.B. No. 718, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 718, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COMMUNITY COURT OUTREACH PROJECT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1281) recommending that S.B. No. 1039, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1039, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1282) recommending that S.B. No. 1229, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENTAL COURTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1283) recommending that S.B. No. 996, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 996, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1284) recommending that S.B. No. 1006, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1006, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ESTATE AND GENERATION-SKIPPING TRANSFER TAXES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1285) recommending that S.B. No. 1084, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1084, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TOURISM AUTHORITY," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1286) recommending that S.B. No. 245, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 245, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT RECORDS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1287) recommending that S.B. No. 417, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 417, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance, with

Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1288) recommending that S.B. No. 276, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 276, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDGES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takayama, for the Committee on Public Safety, presented a report (Stand. Com. Rep. No. 1289) recommending that S.B. No. 976, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 976, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIER II FILING FEES FOR REPORTING OF HAZARDOUS SUBSTANCES," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Onishi, for the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1290) recommending that S.B. No. 1290, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1290, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, in support with comments. This is a shift of sorts from what we have, what they had, and it's a gut-and-replacement. I just want to draw attention to that, that was a *verboten*, if you will, that we were not going to do, this is it, and I just want to tag it and flag it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1290, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1291) recommending that S.B. No. 298, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 298, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1292) recommending that S.B. No. 908, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 908, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY FLEXIBILITY ACT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1293) recommending that S.B. No. 902, SD 1 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 902, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1294) recommending that S.B. No. 850, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 850, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nakashima, for the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1295) recommending that S.B. No. 798, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 798, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUTING," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Ohno, for the Committee on Intrastate Commerce, presented a report (Stand. Com. Rep. No. 1296) recommending that S.B. No. 1264, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1264, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY GUARDS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Ohno and Takumi, for the Committee on Intrastate Commerce and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1297) recommending that S.B. No. 224, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 224, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOLOGY," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Ohno and Takumi, for the Committee on Intrastate Commerce and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1298) recommending that S.B. No. 396, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 396, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITY INTERESTS IN REAL PROPERTY," passed Second Reading and was

referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Ohno and Takumi, for the Committee on Intrastate Commerce and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1299) recommending that S.B. No. 949, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 949, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1300) recommending that S.B. No. 720, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 720, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONCUSSION PROGRAM," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1301) recommending that S.B. No. 711, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 711, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1302) recommending that S.B. No. 687, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 687, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1303) recommending that S.B. No. 1189, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1189, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRESCHOOL OPEN DOORS PROGRAM," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1304) recommending that S.B. No. 618, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF EDUCATION," passed Second Reading and was referred to the Committee

on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1305) recommending that S.B. No. 553, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 553, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1306) recommending that S.B. No. 423, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 423, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STUDENT MEALS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1307) recommending that S.B. No. 510, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 510, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-BASED HEALTH SERVICES," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Woodson, for the Committee on Education, presented a report (Stand. Com. Rep. No. 1308) recommending that S.B. No. 1146, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1146, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"I have very strong reservations and some brief comments. I've spoken on this measure before and I'm going to speak on it again and again, as long as this continues. This is an attack on schoolchildren to benefit developers. It's very simple. It doesn't matter if we give \$20,000 in tax credits to a person who develops 80% AMI housing, or if we charge them \$2,000 in school impact fees. Guess what? The cost of the market price is still 80% AMI.

"So we're taking money out of school impact fees that goes to build schools along DOT route and other areas, we've been doing this on the leeward side for a while. That's one of the only reasons we're not even further behind in our schools out west.

"The DOE has missed out on \$50 million in the last two years because the Board of Education has refused to implement the impact fees that they have the authorization to do, and this bill takes it away entirely. Why? Why does it do that?

"Instead of making, what, an 18% profit for the developer, they're going to make an 18.003% profit? That's not a lot of money to a millionaire, but it's a lot of money to the kids who don't have schools. They could've rebuilt Washington Middle School by now, with this money. And instead, we're going to strip money, more money away from the schools. This is outrageous. So, reservations for now."

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

"Thank you, Mr. Speaker. With reservations. There is a part of it that has to do with the leeward side, but it's going to Finance and I look forward to looking through the contents of it in the committee. Thank you."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1146, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL IMPACT FEES," was referred to the Committee on Finance, with Representatives Gates, LoPresti, Quinlan, San Buenaventura and Tupola voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1309) recommending that S.B. No. 1099, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1099, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOLS," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1310) recommending that S.B. No. 1299, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1299, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER TOUR OPERATORS," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1311) recommending that S.B. No. 369, SD 1 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 369, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1312) recommending that S.B. No. 393, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1313) recommending

that S.B. No. 394, SD 1 pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 394, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE BROKERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1314) recommending that S.B. No. 620, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 620, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1315) recommending that S.B. No. 885, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 885, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE RISK MANAGEMENT AND INSURANCE ADMINISTRATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1316) recommending that S.B. No. 946, SD 1, HD 1 be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 946, SD 1, HD 1 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 946, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUTHORITY TO ADJUST PROFESSIONAL AND VOCATIONAL LICENSING FEES," was referred to the Committee on Finance, with Representatives McDermott and Tupola voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1317) recommending that S.B. No. 947, SD 2, HD 1 be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 947, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS," was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1318) recommending that S.B. No. 950, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 950, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE SERVICERS," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1319) recommending that S.B. No. 951, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 951, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE LOAN ORIGINATION," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1320) recommending that S.B. No. 382, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 382, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 382, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC UTILITIES COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Ing, LoPresti, McKelvey, Oshiro and Tupola voting aye with reservations, with Representatives Choy, Ito, Kong, Say, Tokioka and Yamane voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1321) recommending that S.B. No. 952, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 952, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1322) recommending that S.B. No. 953, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 953, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1323) recommending that S.B. No. 1077, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1077, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1324) recommending that S.B. No. 1227, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1227, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1325) recommending that S.B. No. 1298, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1298, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, 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 Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1298, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENCE REQUIREMENTS FOR APPOINTED OFFICERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Tupola and Ward voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1326) recommending that S.B. No. 948, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 948,



HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1327) recommending that S.B. No. 429, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 429, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1328) recommending that S.B. No. 714, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 714, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JOB TRAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Johanson and Nakashima, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1329) recommending that S.B. No. 1070, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 1070, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1330) recommending that S.B. No. 1105, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1105, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1331) recommending that S.B. No. 936, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 936, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1332) recommending that S.B. No. 1068, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1068, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1333) recommending that S.B. No. 149, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 149, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1334) recommending that S.B. No. 984, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 984, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PHYSICIAN," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1335) recommending that S.B. No. 410, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 410, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1336) recommending that S.B. No. 1059, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1059, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, strong support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1059, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1337) recommending that S.B. No. 658, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 658, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"With reservations. This is also going to Finance, but when the House bill came over, our concern was that the board be mandated to have somebody that has aviation experience. It's suggested, but it's not mandated, and there's kind of a quasi-political part of it where if they're all appointed by the governor.

"So I look forward to discussing it again, but my reservation is that the airports really, really need help. I have an airport in my district. But we just need to make sure that whoever is doing that has that type of background and expertise. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 658, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AIRPORT CORPORATION," was referred to the Committee on Finance, with Representative Tupola voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Ito and Onishi, for the Committee on Veterans, Military, & International Affairs, & Culture and the Arts and the Committee on Tourism, presented a report (Stand. Com. Rep. No. 1338) recommending that S.B. No. 545, SD 2 pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 545, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE FESTIVAL OF PACIFIC ARTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Lee, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 1339) recommending that S.B. No. 909, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 909, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY ASSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Lee and Yamane, for the Committee on Energy & Environmental Protection and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1340) recommending that S.B. No. 559, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committees be adopted, and that S.B. No. 559, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 559, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLIMATE CHANGE," passed Second Reading and was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Creagan and Nakashima, for the Committee on Agriculture and the Committee on Economic Development & Business, presented a report (Stand. Com. Rep. No. 1341) recommending that S.B. No. 773, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 773, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1342) recommending that S.B. No. 612, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 612, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Ing, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs, presented a report (Stand. Com. Rep. No. 1343) recommending that S.B. No. 1150, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1150, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESERVING CORAL REEFS," was referred to the Committee on Consumer Protection & Commerce, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Ing and Yamane, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1344) recommending that S.B. No. 110, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 110, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Ing and Ito, for the Committee on Ocean, Marine Resources, & Hawaiian Affairs and the Committee on Veterans, Military, & International Affairs, & Culture and the Arts, presented a report (Stand. Com. Rep. No. 1345) recommending that S.B. No. 601, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 601, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KING KAMEHAMEHA CELEBRATION COMMISSION," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1346) recommending that S.B. No. 287, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 287, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1347) recommending

that S.B. No. 288, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 288, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SERVICE STORAGE FACILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Takumi and Nishimoto, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1348) recommending that S.B. No. 292, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 292, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1349) recommending that S.B. No. 306, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 306, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 306, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred to the Committee on Judiciary, with Representative Say voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1350) recommending that S.B. No. 387, SD 1, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 387, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1351) recommending that S.B. No. 390, SD 2, HD 1 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 390, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPRAISAL MANAGEMENT COMPANIES," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1352) recommending that S.B. No. 502, SD 1, HD 1 be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 502, SD 1, HD 1 be referred to the Committee on Finance, seconded by Representative Evans.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 502, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IN VITRO FERTILIZATION INSURANCE COVERAGE," was referred to the Committee on Finance, with Representatives Tupola and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1353) recommending that S.B. No. 857, SD 1, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 857, SD 1, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 857, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance, with Representative Say voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1354) recommending that S.B. No. 887, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 887, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"No vote. I've always been against new taxes and fees. Permission to enter my previous comments into the Journal. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, no vote, and a comment that this is the bill that if we know that those who use these pre-paid are the poor, if this is a way of helping the poor, of which as we know we are the highest taxed in the nation. So this is a chance to help those out. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 887, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES," was referred to the Committee on Finance, with Representatives Tupola and Ward voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1355) recommending that S.B. No. 1286, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1286, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1286, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE TRADE, VOCATIONAL, AND TECHNICAL SCHOOLS," was referred to the Committee on Finance, with Representative McDermott voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 1356) recommending that S.B. No. 249, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 249, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Potential conflict of interest. My father is a judge," and the Chair ruled, "no conflict."

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 249, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RETIREMENT," passed Second Reading and was referred to the Committee on Finance, with Representatives Kobayashi, LoPresti, Oshiro, Souki, Tokioka, Tupola and Ward voting aye with reservations, with Representatives Matsumoto and Say voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1357) recommending that S.B. No. 1201, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1201, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," was referred to the Committee on Consumer Protection & Commerce, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1358) recommending that S.B. No. 1148, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 1148, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1359) recommending that S.B. No. 994, SD 1, as amended in HD 1, be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 994, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1360) recommending that S.B. No. 698, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 698, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"Thank you. I have reservations with the changes that were made, putting the Land Use Commission as the investigative body. They don't have any enforcement capabilities, and it's very strange that the changes that were made, it seems to have been my opinion, weakened what the bill is trying to do. So, reservations."

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

"Mr. Speaker, on the same measure, strong support. Let me clarify the changes and why the State LUC was added to the measure. The actual measure was strengthened, and now we're giving it to the appropriate entity that has the capability, with the addition of one person."

"The department, the LUC is willing to do it, and is able to through rule-making address those concerns, because they do land designation as well as they will be working with the city regarding conditions. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 698, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Judiciary, with Representative LoPresti voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Yamane, for the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1361) recommending that S.B. No. 895, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 895, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

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

"With reservations. We had one similar to this last year, and I'm just making sure that this isn't the same. It definitely was, I think, addressed for homelessness. I need to look into it, but I still have reservations, because of the language. Thank you."

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

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

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

"In strong support."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 895, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Ing, Keohokalole, Lowen, San Buenaventura and Tupola voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1362) recommending that S.B. No. 389, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 389, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1363) recommending that S.B. No. 663, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 663, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1364) recommending that S.B. No. 221, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 221, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1365) recommending that S.B. No. 717, SD 2, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 717, SD 2, HD 2 be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 717, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC REAL PROPERTY," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1366) recommending that S.B. No. 469, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 469, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1367) recommending that S.B. No. 683, SD 2, as amended in HD 1, be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 683, SD 2, HD 1 be referred to the Committee on Finance, seconded by Representative Evans.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 683, SD 2, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES VII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY AND VISITOR ACCOMMODATIONS TO INCREASE FUNDING FOR PUBLIC EDUCATION," was referred to the Committee on Finance, with Representative Tupola voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1368) recommending that S.B. No. 686, SD 2 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 686, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION FUNDING," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Aquino, for the Committee on Transportation, presented a report (Stand. Com. Rep. No. 1369) recommending that S.B. No. 1183, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 1183, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

"Mr. Speaker, I stand in strong support of this measure, and just some brief comments. I would like to see this come out of the Finance Committee, Mr. Speaker, maybe even stronger than this bill is. The Transportation Chair did a great job."

"If we do not help the city, I fear for the single grandmother living on a fixed income who owns her home. She is going to be hit with a tremendous property tax increase. So instead of exporting one third of this tax to pay for the train to our visitors, grandma, the single grandma on Social Security, is going to have to pick up a disproportionate share of it. So I would ask that we put aside any personal animosity that we may have with the players involved here and move forward in a collaborative solution and pass this tax.

"I'm a Republican. I don't support taxes. I haven't voted against all these fees, but this one makes sense, it's concrete, it's steel, it's iron, we can see it, we can feel it. And the benefits of the transit-oriented development down the road is lost in all this discussion about the train and how many people it will hold. Young people will be able buy apartments, condominiums along the line, build equity and wealth, and at some point, they'll be able to trade up to other homes.

"This is a 25-year project, 30-year visionary project. That's why I support it. It's going to make our home better. So I would ask Finance, I beg you to please come out with an even stronger measure than this. Thank you, sir."

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

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

"Mr. Speaker, no vote, brief comment. As a member of the same party of the one who just said he was greatly in favor of this, I would say, yes, except let's show the plan to us. Let's show the logic to us. Let's show that there's light at the end of the tunnel.

"As you know, Mr. Speaker, I've spoken on this floor, until I see private sector skin in the game, i.e. rights of way sold, like they do in Hong Kong and in Japan, I would not vote one more penny for this rail.

"We're not doing it as we are prepared, as educated, logical planners and doers in the State of Hawaii. We're underachieving. The way that we've handled this thing, all they've said is, kick the can over to the State Legislature, they'll take care of us, and we let the city and county get away with literally doing nothing, except giving us, well, we're on our way to doing this, we're on our way to doing that.

"And at the national level, we may not be looked upon with favor for the \$1.5 billion that's still outstanding, Mr. Speaker.

"So by doing this, we put salve on a wound which otherwise we have not really analyzed to the point of when is it going to heal and what kind of a disease do we have here.

"I think we need to really think about this very seriously, and I know members of the Finance Committee have considered the different ways of stimulating or getting skin in the game from the city and county, but until we do, if we give a blank check like this, I think we're just encouraging or enabling a behavior that, for 10 years, is going to go on forever and ever, and the people of Hawaii saying, why did you guys ever vote for this? Why didn't you keep their feet to the fire? Why didn't you keep them accountable for what they said they were going to do, and they didn't do it, and they never gave you the plan to do it, so you couldn't analytically and empirically measure the efficacy of it?

"For those reasons, Mr. Speaker, I think this is not the right policy, and I hope by the way that it gets through the conference committees, that there'll be some skin in the game from the city and county, and that there'll be a logical end at the end of the tunnel, whether it's a train or a rail, that we'll know exactly what we're getting into, and not have to do these things which, remember, just a few years ago, they said, just give five more years. Well, ten years, five years, now we're giving in to perpetuity. Are we making this up as we go? It seems to look like that.

"For those reasons, Mr. Speaker, I think we really need to contemplate this very, very seriously before we approve it. Thank you."

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

Representative Ing's written remarks are as follows:

"Due to the beneficial impact this Honolulu County project could have on our state as a whole, support should be statewide. An electric powered public mass transit system would lower our carbon footprint, decrease greenhouse gas emissions, and decrease traffic congestion. The creation of jobs from this project would boost our economy. Having plans in place is beneficial for preparation when dealing with the financial aspect as well as land development around the transit system."

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

"Thank you. In support, Mr. Speaker. And I'll keep it brief, because it's second reading, but I really want to thank the Transportation Chair for his amendments and moving this forward.

"This is skin in the game for many of us whose districts are melting down due to traffic and congestion, and we're very chagrined to see that the Governor removed the funding for these projects which have been popularly supported by the people of Hawaii will make a huge difference in traffic all over the place.

"This puts the skin in the game to the other counties to join in and, quite frankly, with 43% of visitors paying the general excise tax, this is going to provide the revenue needed to get these traffic solutions done within our lifetime. So on behalf of the people of West Maui who are sitting in their cars right now, I appreciate the Finance Committee hopefully taking this up, and again the Transportation Committee for moving this. Thank you."

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

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

Representative Johanson's written remarks are as follows:

"Mr. Speaker, I rise in opposition to SB 1183, SD 2, HD 1. While I recognize that rail has the potential to be a much needed transportation alternative for the residents of my district and the island of Oahu, I am concerned about the mechanism of funding rail that the bill uses. As this is ultimately a county project, I would like to see the county take more responsibility for the financing of the project. With the cost of living already high in Hawaii, increasing the general excise tax indefinitely is too steep a cost to pay for working families.

"I also would like to see more transparency from HART and the City & County of Honolulu on the budget shortfalls for the project, and cannot give a blank check to HART without reasonable assurances that the project will be better managed. I cannot continue to countenance the massive cost overruns and delays in deliverables, by supporting this bill as presently drafted. I also believe that HART and the City & County of Honolulu have an obligation to fully explore all possible alternative financing mechanisms and plans, including public-private partnerships and route and station modifications.

"Because I do not see action to overcome these deficiencies, I cannot support this bill."

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

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

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

"A yes vote. Thank you very much. I truly believe that this is the last vehicle that this members of the House, all 51 members will have an

opportunity. And I personally want to thank the Chair of Transportation for keeping it alive.

"For those members who are not in the Transportation bracket, we never did have the opportunity of vetting this particular measure, but I truly believe that the House Finance Committee members and the chair and vice chair will be given an opportunity to vet this issue.

"This is the last vehicle that we have in regards to this monumental issue that we have before all of us, so I'm just happy that the Chair of Transportation has kept it alive, and we are moving forward in trying to see, are there any resolutions to this financing issue. Thank you."

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

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

"Thank you, Mr. Speaker. A no vote, just brief comments. I would say written comments, but then I don't always end up submitting them, so I'll just say this now.

"I do support mass transit, absolutely. I think it's an opportunity for a lot of economic growth, and it would be good for traffic on Oahu, and I support additional funds for our counties to look at their traffic issues, too.

"But the general excise tax is our most regressive tax. And when we talk about the City and County of Honolulu having skin in the game, on this I look at the property tax rates and see that the rate that somebody pays here, for a second home, is less than we pay on the Big Island for our first home. So, even if that isn't, and I haven't, I don't know the numbers, even if that isn't enough to generate all the revenue needed, I still feel like the city should look at that first."

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

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

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

"Mr. Speaker, in strong support. I believe that this is a commitment that we made back in 2005, for those of us who were here, when it was part of the majority package in the interest of developing a mass transit system for primarily the citizens of the City and County of Honolulu.

"As a dual citizen of the State of Hawaii and the City and County of Honolulu, I think this is the best means, most equitable means of providing mass transportation to the City and County of Honolulu residents. So I stand in strong support and ask for permission to submit written comments."

Representative Oshiro's written remarks are as follows:

"SB 1183, SD 2, HD 1, is one of those measures that will stand the test of time and be reviewed by future generations as testament to a time when the Hawaii State Legislature rose above the noise and confusion of the short-sighted and weak-willed detractors and naysayers and provided the citizens of the City and County of Honolulu a mass transit system befitting one of the great cities of the world. I mention this in reference of hindsight and looking back since I still firmly believe that my colleagues and I will find a way to address this contentious and controversial issue.

"To get there, however, will require the ability to see beyond the finite election cycles and see through the periodic printed news stories of doom and gloom and hopelessness and the busy din of the hyper-critical and faithless reporters. There is usually little good news attached to any rail story and many of our constituents find it easy to pile onto the past failings and past representations. I would be the first to submit that most rail stories are not happy or pleasant ones, but often full of failure, misjudgment, ever rising cost estimates, and endless taxpayer liability. Truly, I would bet that all of my colleagues feel some trepidation with supporting the extension of the

one-half percent rail surcharge beyond 2027. To provide some encouragement and support, herein are some reasons I am supporting SB 1183, SD 2, HD 1:

(1) Legal and Contractual Obligations:

- Honolulu must complete the full rail project – 20-miles and 21-stations – to meet its obligations in its Full Funding Grant Agreement (FFGA) with the Federal Transit Administration (FTA). In return, FTA has assured the city that it will meet in full its obligation to provide \$1.55 billion for the project.
- The FFGA is a binding contract and if the city does not meet the terms of the contract, the city would face greater financial challenges.
- FTA has set an April 30, 2017 deadline for HART to submit a Recovery Plan.
- In its Recovery Plan, the city is expected to demonstrate it can complete the project as quickly and efficiently as possible.
- There is a misconception that not extending the GET surcharge will save money. In fact, it will incur all kinds of costs for taxpayers, including possibly the loss of federal funds, monetary claims from rail contractors, and lawsuits by property owners whose land was acquired for the project.
- The Trump Administration's proposed FY2018 budget "blueprint" was just released, with a US Department of Transportation provision to limit funding of FTA New Starts projects to existing projects with an approved FFGA. Future projects would need to be funded by local governments entirely.
- This would mean if Honolulu's FFGA project is changed, it would open up the FFGA for renegotiation, and put the full \$1.55 billion grant at risk of being withdrawn. Any changes to the FFGA could cause the \$1.55 billion in federal funds to be lost or forfeited, as well as jeopardize Honolulu's ability to receive federal funds in the future.
- Extending the existing General Excise Tax surcharge long enough to allow completion of the Honolulu rail project ensures the city meets its FFGA obligations.
- In November 2008, over 50% of Oahu voters approved the rail project. Rail construction is already underway and we need to finish the job.

(2) Economic and Job Development:

- The rail project has and will boost the local economy in the short- and long-term by creating both direct and indirect jobs. Besides jobs in the construction industry, rail would create long-term careers in professional services, including engineering, planning and architecture as well as rail operations and maintenance of the system.
- The full rail project will produce the highest level of ridership, the most positive impact on Oahu traffic, and the greatest economic impact for the city and State through transit-oriented development (TOD).
- Many community and social service organizations are strong supporters of rail because TOD is a proven way to incentivize developers to build workforce priced housing, either rentals or for purchase.
- The rail project's elevated guideway is halfway done, with 10 miles constructed from East Kapolei to Aloha Stadium. Five miles of track is in place. The Rail Operations Center is completed in Pearl City. And construction has begun on the first nine stations.

(3) Benefits for All Citizens of the City and County of Honolulu:

- The fully built rail system also benefits Central and North Shore residents with the planned Pearl Highlands parking center. It will allow those commuters to park in Pearl City and catch the train.
- Train schedules will be coordinated with TheBus and Handivan schedules so that Oahu will have an integrated, island-wide public transportation network.
- The rail project will improve the quality of life for tens of thousands of Oahu residents by reducing commuting stress, making it easier to

get to jobs, lower transportation costs, and allow more time for family and friends.

"Mr. Speaker, I began my remarks in support for the extension of the rail surcharge to meet compliance with the FFGA and keep the City and County of Honolulu out of a lawsuit with the Federal Government. Legally we are bound to the terms and conditions of the contract. This is a fact, regardless of how we feel about the project or how much we wish we could rewrite the past misuse and waste of public confidence and public monies.

"As a 'dual citizen,' as are all of my constituents, both of the State of Hawaii and City and County of Honolulu, all will be affected by the final decision on this measure. However, I believe that it makes good policy sense to shift as much of the tax to our visitors who come to Hawaii to enjoy what we so far too often take for granted; our beautiful and pleasant weather and gracious and warm hospitality of our island or local culture. I do not see the wisdom of giving the visitors a tax break at the expense of our local voters and families.

"Finally, I am unmoved and not persuaded by any of the last-minute ideas to find alternative State or City and County of Honolulu funding for the completion of the rail project. The surcharge has been in place since 2007 and we, as consumers, have grown accustomed to it and the export feature it provides to local taxpayers. As we acknowledged, as a Majority (Democrat) Caucus, back in 2005, the rail as a public transportation priority would provide transportation-equity or equality and help our middle- and lower-income families stay engaged with employment and educational opportunities outside their immediate neighborhoods and communities. The recent high-rise buildings in Kakaako portend what housing, commercial, and business centers that will become part and parcel of the rail TOD development. The day will soon come where thousands of residents will no longer need to own a personal vehicle but find commuting and visiting parts of the island as both efficient and effective, and cost effective and convenient.

"Mr. Speaker, you shared with this body several years ago, words that I found appropriate and meaningful then, and I find them even more so today. This is what you shared with us:

This is what I call statesmanship. Where you can look beyond your own needs and look at the needs of the State as a whole. Not looking for today, but for tomorrow, five years, 10 years, 20 years. You know that traffic is going to get worse. It's not going to get better. So for all of you that are voting it, you're taking the role as statesman which you should, and I'm very proud of you.

"These words are equally relevant and appropriate to this measure today. And, I adopt them as my own by republication of the same herein."

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

Representative Ward rose to respond, stating:

"Mr. Speaker, a no vote with a continuation, particularly a comment regarding in 2005, I was in East Timor as the Peace Corps country director so I didn't have a vote in that. But in 2005, we were talking \$3.5 billion to \$5 billion. We're talking now \$10 billion plus.

"I would ask the good Representative from Wahiawa, in his conscience, would he have voted at \$10 billion rail and with the increased taxation to where it goes into perpetuity? That's just something to contemplate. Thank you, Mr. Speaker."

Representative Oshiro rose to respond, stating:

"Mr. Speaker, again, second time in support. Not to answer my colleague's question, but let me emphasize this point. I think we're at a point in time right now that's either fish or cut bait, get on or get off, because I think the circumstances have changed with the federal election of a new president, a U.S. Senate and Congress that I think may not be interested in helping the citizens of the City and County of Honolulu or the citizens of Hawaii.

"And I'm thinking they're going to look for any excuse to pull back any commitment under the Federal Transit Administration full funding agreement of \$1.55 billion.

"And that's the greatest fear I have, Mr. Speaker. I am convinced, beyond any reasonable doubt, that that April 30th deadline fast approaching is firm and fast. And I believe this administration in Washington D.C., under the Trump Administration, I'll name the president, is not interested in helping us, but looking for any reason to pull back any funding from the Federal Government.

"So I'm happy to see this bill moving forward, give us additional time to review the bill. I know the Finance Committee will do a great job doing that, looking at the different options available.

"But we're too far down, Mr. Speaker. We're too far down. We need to finish this project. And maybe not for the current generation of leaders sitting here in this august body, but for the next generation of residents of the City and County of Honolulu and the larger State of Hawaii. So again, I ask for permission to submit written comments in support. Thank you."

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

Representative Woodson 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."

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

"Thank you, Mr. Speaker. I'm in support for now, because I sit on Finance and it will come to our committee, and I'll have a chance to possibly look at it further, but I have a lot of concerns.

"As many of you know, Ewa benefits greatly from this project, and we are far into it, and perhaps I think we should finish it, but the method and the means by which we've gotten to the point where we are, are extremely disturbing.

"I feel we were misled, if it's not appropriate to use stronger words than that. Just a couple of years ago, we sent the city and county back with money that they said they would have enough to complete this project. We also told them they had to make progress on affordable housing. What have they done?

"If we don't actually support this project with real TOD, with real affordable housing along the line, what are we doing? This isn't just about traffic. It's about transforming the entire way we look at development on this island. And it's not done just by building a train. We have an opportunity to really force real affordable housing changes to do tax capture to, I think we should give back the skim that we've taken and not take that anymore.

"There's a lot of aspects that I'm deeply concerned about, and I'll look at it more in Finance. For now, I'll be in support to move it on. I'd also like to add words of the Representative from Kailua-Kona as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, I stand in support. I just would like to point out one thing. I agree with all the previous speakers before this, but one thing, if we do not fund the rail with GET, it will force the counties to fund it through property tax, and what we're essentially going to do is force a \$1,000 bump in everybody's property tax.

"So right now none of my constituents are complaining about the 0.5%, but I can tell you, they'll come screaming to me if this bill dies, and their property tax gets raised by \$1,000 to \$1,500 each. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1183, SD 2, HD 1, entitled: "A BILL



FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Creagan, Gates, Matsumoto, Ohno, San Buenaventura, Tupola and Woodson voting aye with reservations, with Representatives Johanson, Lowen, Nishimoto, Quinlan and Ward voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representatives Belatti and Takumi, for the Committee on Health and the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1370) recommending that S.B. No. 404, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 404, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 245, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1371) recommending that S.B. No. 739, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 739, SD 1, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

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

"Thank you, Mr. Speaker. With reservations. I already said every single thing, every line that needs to be fixed in this bill, but it's a hot mess.

"It's talking about licensure for behavior analysts, but it's basically trying to expand it under psychology, which, in the HRS is psychology licensure law 465, and this is 465D-7 which is the behavior analyst section.

"So, long story short, why it's so convoluted and why we should be aware of it and probably try to fix it, is because it erodes the behavior analyst licensure law. It makes it where paraprofessionals and unlicensed individuals can work with people who need behavior analyst support.

"And so I would heavily encourage CPC to consider, and I'll send my thoughts through it, but there are so many different parts of this that make it very difficult to support it, because it actually changes parts of it where they have to get licensure under this national agency, which doesn't even exist. It changes it where certain individuals can work under unlicensed individuals.

"So, long story short, we should be very, very careful, and make sure that we are always ensuring the highest quality care, especially for our children in the DOE schools that need this help. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 739, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSIS SERVICES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Tupola voting aye with reservations, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1372) recommending that S.B. No. 501, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 501, SD 1, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

Representative Ing's written remarks are as follows:

"Women in Hawaii need to know that there are multiple resources available on reproductive health services. This bill allows for women to gain access to comprehensive, unbiased and medically accurate reproductive healthcare options. Providing the knowledge about all options for a woman is not promoting one service over another. Women should understand and learn about all reproductive health programs and services offered in order to make informed decisions about their reproductive health. Women have historically and continue to face barriers based on their gender, and supporting this bill will contribute to preventing limitations imposed on reproductive healthcare option accessibility."

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 501, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Cachola and Matsumoto voting aye with reservations, with Representatives Kong, McDermott, Tupola and Ward voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1373) recommending that S.B. No. 384, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 384, SD 2, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

Representative Creagan's written remarks are as follows:

"There has been much testimony submitted both written and oral that refute the credibility of SB 384 in its various versions. I will provide some additional brief comments and thoughts, and try to address some questionable claims justifying this, in my view, unethical proposal. There are many other reasons that prescriptive privileges for psychologists are nonsensical, and a convoluted history that I have explained elsewhere, but I hope these brief comments will be helpful in clarifying that this is a terrible solution to a real problem.

"An alternative that is advisable is the collaborative care model, which is becoming a reality will utilize teams of psychiatrists and other physicians, providers of psychotherapy at both the master's and doctoral level, APRNs, and very importantly coordinating care managers. Telemedicine and

telepsychiatry can be a part of that model. This is supported by Medicare and other insurers and is a real solution.

"The goal is to provide good quality care to patients, not to fight illogical turf battles. Patients are more likely to be hurt than helped by prescriptions from poorly trained providers.

*"Claim: There are not enough prescribers of medications for mental health disorders especially in our rural areas.*

"We are experiencing an overwhelming opioid epidemic. For the most part, opiates are prescribed, although a number of people who became addicted to prescription opiates have turned to illicit opiates such as heroin (increasing adulterated with more potent drugs such as carfentanil - aka carfentanyl). Pain is in the brain: opiates have their pain alleviating effect on the central nervous system.

"Why do we want to double down on this problem by prescribing more brain altering medication, that in many cases causes more harm than good; that will potentially cause more suicides, not prevent them. Why would we allow a class of poorly trained psychologists, accredited by a discredited organization to prescribe these potent, destructive and in most cases unneeded medications? Benzodiazepines such as Xanax and Valium would be allowed on the formulary proposed by SB 384, SD 1, HD 1. These are in category IV, indicating a lower potential for abuse, but these are often the most abused and most addicting medications prescribed.

*"Claim: People are dying because they commit suicide because of a lack of access to medication, especially in rural areas.*

"The facts are that people TREATED with medication who are depressed are MORE likely to kill themselves. Every medication to treat depression now carries a BLACK BOX warning that indicates that risk of medication.

"ALL of Big Pharma's anti-depressants now have a BLACK BOX warning that says:

*Antidepressants INCREASED the risk of suicidal thoughts and behavior in children, adolescents, and young adults, in short-term studies. These studies did not show an increase (nor did they show a decrease) in the risk of suicidal thoughts and behavior with antidepressant use in patients over 24; there was a reduction in risk with antidepressant use in patients aged 65 and older.*

*In patients of ALL ages who are started on antidepressant therapy, monitor closely for worsening, and for emergence of suicidal thoughts and behaviors. Advise families and caregivers of the need for close observation and communication with the prescriber.*

"Translation: Medication is likely to *kill* more young people than save them. It is just as likely to kill most people. It is only in older people that medication has been shown to have an overall slightly positive effect.

"If psychologists were willing to provide the behavioral health interventions in rural areas, many of the problems could be solved. But psychologists are concentrated in urban areas. That is where the money is. Most mental health problems respond to cognitive behavioral interventions, including mild and moderate depression, which are biologically different from severe depression. Giving psychologists prescriptive privileges will not improve access to care in rural areas, because psychologists took out any requirement to work in rural areas. They will stay where the money is, in urban areas.

*"Claim: Psychologists are trained to recognize and treat mental health disorders.*

"The diagnostic system of 'mental health disorders' is severely flawed. The various iterations of the 'bible' of diagnosis the Diagnostic and Statistical Manuals of Mental Health Disorders have expanded the list of conditions, but have struggled to provide a biological basis for those classifications. It was only in the DSM-III that homosexuality was no longer listed as a 'disease' that needed treatment.

"These current categories are 'symptom complexes,' but there is overwhelming evidence that those 'symptom complexes' represent symptoms, not diseases. We do not treat all fevers with the same medication, we look for the hundreds of causes of fever. When we understand the cause we can treat the condition effectively.

"In our relatively recent history, the cause of two serious 'mental health disorders' autism and schizophrenia were ascribed to 'refrigerator mothers,' mothers who were cold and distant with their babies and children. We now understand that autism is a group of conditions, almost all of which have a genetic, biological basis, with the expression of the conditions being shaped by environmental effects: exposure to stress, to medications, to environmental chemicals such as PCBs or even insecticides.

"Dr. Thomas Inselm, the psychiatrist who headed the National Institutes of Mental Health, stated recently that the NIMH would no longer provide research grants based on DSM categories as those categories were not based on causes, but on symptoms, and future diagnostic categories and treatments would need to be biologically based.

"Physicians, including family practice, internists, pediatrician and psychiatrists are biologically and medically trained and can make that pivot to biologically defined and treated conditions. If this bill passes, few psychologists who have NO biological training will be able to make that pivot.

"Many of the psychologists trained at the 'free standing professional schools,' many of which have been called 'diploma mills' by the psychology community (even though accredited by a corrupt and failing American Psychological Association leadership) are not even adequately trained in the tenets of psychology and have dismal scores and pass rates on the national test for psychologists.

"In the State of Hawaii is located one of the more than 10 campuses of a free standing professional school called Argosy. The degree program at Argosy is a PsyD program (a doctoral degree without a research thesis as opposed to a PhD program). The scores and pass rates on the national psychological exam of graduates of that school are among the lowest in the nation. The number of graduates of that school far outnumber the graduates of the UH Manoa PhD, so an increasing number of psychologists in our state graduated from a school called a 'diploma mill' by many psychology students. This school has been accredited by the American Psychological Association along with a host of other questionable for-profit PsyD programs. The current version of SB 384 would accept those students as equal to university trained PhD students. That questions the credibility of the bill and its potential consequences.

*"Claim: Psychologists have a proven record in the states that have approved their prescriptive privileges without evidence of harm.*

"There are of cases of medication-induced psychosis and murder, of induced seizures and deaths, by psychologists who inappropriately prescribed medications. Since there has been no systematic evaluation of that issue it is likely that there are many more similar cases that have not been recognized.

*"Claim: The American Psychological Association has appropriately accredited schools of psychology, and has set up accredited psychopharmacology training programs for prescribing psychologists, and has set up a national exam for prescribing psychologists.*

"The American Psychological Association leadership for the past 10 years has been involved in collusion with our intelligence agencies to enrich themselves by approving and participating in 'advanced interrogation techniques' amounting to torture. This has been amply revealed in the recent (2015) Hoffman Report. This same leadership was promoting the prescription issue with disguised fees against its members and lost a \$9 million law suit over those fees filed by its own members. The membership of that APA was declining because of that flawed, unethical leadership. In response, many questionable free-standing for-profit professional schools were approved by that APA board which the APA hoped would boost their flagging membership. The result is a growing

number of licensed psychologists who have been trained at what their own membership calls 'diploma mills.'

"If there are any well trained psychologists who want to undertake the serious investment in time and training to understand and participate in the medical model, entrance to that training cannot be a degree approved by the American Psychological Association. There should be rigorous prerequisites showing an aptitude to understand the sciences that are the basis for the study of medicine. There should be evaluation of scores on tests designed to test the aptitude for such training such as the GRE or MCATS. The supervision of any prescribing psychologist would have to be under medical boards as the boards of psychology do not have the expertise, and have been part of a failing unethical professional organization. If psychologists want to become part of the medical system they cannot be supervised by a failed and corrupt parent organization. They must be trained and supervised by medical practitioners.

"Psychologists trained in the past when the DSM said homosexuality was a disease who have absolutely no biological training or orientation would be eligible to take this additional, inadequate training and would be allowed to prescribe medications they do not understand to treat an organ (the brain) they are not trained to understand biologically. These medications can affect all organs and systems of the body, which again psychologists have never been trained to understand or treat. They are unlikely to recognize the frequent severe side effects, much less have any knowledge of how to treat these side effects."

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

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

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

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

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

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

Representative Cachola 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 opposition to the measure, stating:

"No vote and short comments. I believe that we should be voting on matters that promote the public interest, public safety, public health. I would note that many of these bills have to do with turf battles between organizations and between professions.

"In particular, we have been seeing these battles between professions in scope of practice seemingly a good deal more. Way back in the 1980s, someone suggested radically that if we were to have licensing under DCCA for professional, vocational, occupational groups, that a majority of members on these boards should be public members.

"But indeed what has happened is that, if you go to all of these professional, vocational boards, a majority of members are practitioners, people who have a direct interest in promoting their profession, their reimbursement, and not the public interest.

"In this particular case, that of prescriptive authority to psychologists, the test to be given, and the passing score of this test, is to be determined by the American Psychological Association's Practice Organization's college of practitioners.

"That middle group, the Practice Organization of the APA, is a legally separate group. That group was formed expressly to promote, quote, 'the marketplace interests,' unquote, of the practitioners.

"So it is this group that is to promote the marketplace interests of the practitioners that is supposed to develop a test and set the passing score. Is that the public interest?"

"I could go on about other matters, but I think that some of these matters may be addressed as we proceed. But for now, no vote, please."

Representative Tupola rose to respond, stating:

"Still in opposition. Can I have the comments from the Representative from Kahala inserted as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Tupola continued, stating:

"And just to kind of expound, most of the psychiatrists aren't saying that we're marketplace interest, because it's kind of nice, it's actually the lobbying arm of the organization. So it's not the educational arm of the organization. The lobbying arm would be the one to make the test and administer, to determine whether or not they would be fit to proceed to prescribe.

"And the other part of the preamble of the bill states that there's been not one incident of a psychologist prescribing and an adverse incident happening, but the shooting at FSU last year was a direct result of a psychologist prescribing in New Mexico. Two incidents following sent a four-year-old child to the ICU and a woman into a heart attack.

"So just to clarify, there's lots of different things moving around in this bill, but good points that he brought up is, if we are going to allow this, then whoever makes the test and makes it possible for them to prescribe to those individuals who need it, they should be a legitimate body and not a lobbying organization. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 384, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTIVE AUTHORITY FOR CERTAIN CLINICAL PSYCHOLOGISTS," passed Second Reading and was referred to the Committee on Finance, with Representatives Cachola, Fukumoto, LoPresti, Matsumoto and Takayama voting aye with reservations, with Representatives Creagan, Kobayashi, McDermott, Tupola, Ward, Yamane and Yamashita voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1374) recommending that S.B. No. 305, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 305, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA DISPENSARIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Belatti, for the Committee on Health, presented a report (Stand. Com. Rep. No. 1375) recommending that S.B. No. 174, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 174, SD 2, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

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

"A no vote. The Department of Health has a process in place, a one-year process of how to add and delete possible additions to those who qualify, and I support their testimony. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 174, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred to the Committee on Judiciary, with Representative Tupola voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1376) recommending that S.B. No. 700, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 700, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative Creagan, for the Committee on Agriculture, presented a report (Stand. Com. Rep. No. 1377) recommending that S.B. No. 804, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Saiki moved that the report of the Committee be adopted, and that S.B. No. 804, SD 1, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

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

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

"Thank you, Mr. Speaker. In opposition with long comments. Thank you. SB 804, the SD 1 version, was a good bill that would increase the amount of Pesticide Use Revolving Funds that could be maintained in the fund.

"According to the Department of Ag, these funds are used to support the pesticide program's registration and licensing, certification and education, and compliance monitoring activities. This fund could also be used to establish pesticide training workshops, educational programs, development of integrated pest management strategies, and other services that would benefit users of pesticides, such as structural pest control industry, ag pest control industry, and consumer users of pesticides.

"If our objective is to do something about the pesticide issue, this un-amended bill would have been a positive step forward. I'm disappointed that the prior committee has messed up a decent bill by bringing back some conversation we've had before.

"We have mandatory disclosure through HRS 149A-31.2. It's pesticide use posting online. In order to address better disclosure, the Department of Ag has started to expand the Kauai Good Neighbor Program to the rest of the State. The large ag companies on Kauai have been reporting usage since 2013. These companies have also implemented a minimum 100-foot buffer zone between RUP application areas and schools, medical facilities and residential properties, unless regulations by the EPA are stricter.

"Adding more reporting by commercial ag entities that annually purchase or uses in excess of a certain number of pounds or gallons of RUPs will be even more challenging for both the Department of Ag and the commercial ag entity, which is any individual, partnership, association, corporation, LLC, or organized group of persons that is engaged in commercial ag production.

"Do we know how many entities that would be? I see it as any farmer who may purchase RUPs having to also disclose all unregulated pesticides. It could even be a can of bug spray.

"I would need another 10 minutes to pick through the other bad parts of this bill, so let me just say that the amendments made will affect businesses, the University of Hawaii, the Department of Health, and there will not be a chance for their concerns to be heard.

"Mr. Speaker, we can work toward finding solutions to the pesticide issue that are based on facts and sound data, and I am committed to do that. We don't need to force through legislation that will have bad consequences to anyone who uses pesticides.

"Let's do what the Department of Ag recommends. Let's allow the statewide voluntary program time to become established, then let's support them with resources they will need to eventually accomplish a mandatory program that will work.

"The former House Chair of Ag fought tooth and nail to support and protect our ag industry. I hope that we can continue his legacy and be strong advocates for agriculture in Hawaii. Thank you, Mr. Speaker."

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

"In tepid support. My comments are this. I'm for disclosure. What I'm concerned about is the way this bill is drafted, and it's the lawyer in me, and I apologize about that.

"It refers to commercial agriculture entity, meaning individuals. That means you and I. It also does not identify commercial agriculture production, because that could just be regular people selling in farmer's markets.

"What I'm concerned about in my district are individuals who want to control little fire ants, who want to control the slugs that are killing my population with rat lungworm disease.

"I'm hoping that the next committee redrafts it so that individuals who just want to control invasive species are not going to be sanctioned. I don't want to have neighbor against neighbor, especially in my district. Thank you."

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

Representative Creagan's written remarks are as follows:

"I am writing in support of SB 804.

"I certainly support the first part of this bill as it came from the Senate expanding the money in the pesticide fund.

"I also support the second part of the bill which requires mandatory reporting of pesticide use, but point out that is only an annual report and that the minimums that would trigger that reporting is blank with the committee report requesting suggestions from the Department of Agriculture to subsequent committees.

"I think the most important part of this bill is the testing for chlorpyrifos.

"There is no doubt that chlorpyrifos causes neurodevelopmental birth defects, despite claims to the contrary. It has clearly and repeatedly been shown to be a teratogen. Teratogen is from the great and means 'monster causer.' In this case the harm is not usually visible, but as neural tissue is the target of this chemical, the effects are usually more subtle, such as with a cleft lip. On that note, chlorpyrifos can cause very impairing damage to the structure and circuitry of the developing brain of the fetus. Pertaining to fetuses which tested positive for chlorpyrifos, follow-up studies have shown autism and cognitive impairment of the individuals.

"Studies done in New York at or in conjunction with Columbia University have demonstrated the pernicious effects of chlorpyrifos when used indoors.

The EPA banned chlorpyrifos for indoor use in 2001 and was supposed to announce another decision to ban chlorpyrifos from application to food crops on March 31, 2017. However, on March 29, it was announced that Scott Pruitt overruled his own scientists about the decision to ban chlorpyrifos from use on food crops.

"With no new ban, spraying of large amounts of chlorpyrifos will likely continue on Kauai and other islands where seed corn is grown.

"The last part of the bill asks the University of Hawaii to examine the first stool of newborns, termed meconium, which starts accumulating in the fetus at about 16 weeks gestation and continues accumulating for 24 weeks, until birth. That proposed study, similar to one done in New York, will show if unborn fetuses, the most vulnerable part of our population, are being exposed to this chemical. If so, we need to find and eliminate the source."

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

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

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

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

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

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

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

"Thank you, Mr. Speaker. In support. I have the concerns that the Representative from Puna has mentioned, and I guess my biggest concern going forward, and the next committee can examine it, if we're going to be serious about pesticides and look to the science, then we need to look at all of our users of pesticides, Mr. Speaker. That'll give us the data, like California and the European Union have collected, to make sound policy decisions.

"We can go back to heptachlor and that experience, to know why it's important to look at all large users. In my district, we have people who have health issues, but none of the entities in this bill exist in my district. However, many unnamed entities do, that are using large-use pesticides that may or may not remain restricted under the new EPA.

"So I'm hoping as this conversation continues we can look at all sources of pesticide pollution, so we can come up with good strong data. I think that might be the middle point that we're trying to seek. Thank you."

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

"In support. Just like to have the words of the Chair of Higher Education entered as if they were my own," and the Chair "so ordered." (By reference only.)

Representative LoPresti continued, stating:

"I agree with the Representative from Puna as well, and I think that language can be fixed. But I did just want to make a brief comment about, there's always this rhetoric about supporting education and prevention, and there's volunteer programs, but again, these volunteer programs take in incomplete data.

"Any time, it seems at least in the last couple of years, there's been bills that talk about reporting requirements so we can collect data, people rage against that, and say, well, if there was data then they'd support limits on the chemicals, but then they don't allow bills to move forward that actually collect data. So that kind of double talking can't stand for too long. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 804, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PESTICIDES LAW," passed Second Reading and was referred to the Committee on Finance, with Representatives Ito, Matsumoto, Nakamura, Quinlan, Takayama, Tupola and Yamane voting aye with reservations, with Representatives Morikawa, Onishi and Tokioka voting no, and with Representatives Aquino, DeCoite, Har, Ichiyama, Lee and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1378) recommending that H.R. No. 50 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A PHILIPPINES-HAWAII TOURISM COLLEGE STUDENT EXCHANGE PROGRAM COMPACT," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representative McKelvey, for the Committee on Higher Education, presented a report (Stand. Com. Rep. No. 1379) recommending that H.C.R. No. 88 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A PHILIPPINES-HAWAII TOURISM COLLEGE STUDENT EXCHANGE PROGRAM COMPACT," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1380) recommending that H.C.R. No. 13 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 13, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-529 INOAOLE STREET, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1381) recommending that H.C.R. No. 14 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 14, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-648 INOAOLE STREET, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1382) recommending that H.C.R. No. 15 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 15, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-652 INOAOLE STREET, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1383) recommending that H.C.R. No. 16 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-659 INOAOLE STREET, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1384) recommending that H.C.R. No. 17 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 17, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-1362 WAIKALOA STREET, WAIMANALO, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1385) recommending that H.C.R. No. 18 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 18, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-029 KUAHELANI AVENUE, NO. 128, MILILANI, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1386) recommending that H.C.R. No. 19 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946 MEHEULA PARKWAY, NO. 264, MILILANI, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1387) recommending that H.C.R. No. 20 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 20, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-946 MEHEULA PARKWAY, NO. 363, MILILANI, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1388) recommending that H.C.R. No. 21 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 21, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 94-950 MEHEULA PARKWAY, NO. 367, MILILANI, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representatives Brower and Yamane, for the Committee on Housing and the Committee on Water & Land, presented a report (Stand. Com. Rep. No. 1389) recommending that H.C.R. No. 22 be referred to the Committee on Finance.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committees was adopted and H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 47-394 KEOHAPA PLACE, KANEOHE, HAWAII," was referred to the Committee on Finance, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki and Thielen being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1390) recommending that S.B. No. 488, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 488, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH WARRANTS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki, Thielen and Tokioka being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1391) recommending that S.B. No. 335, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Saiki, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 335, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM FAMILY LAW ARBITRATION ACT," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Souki, Thielen and Tokioka being excused.

## ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, as we all know, Monday is a holiday, and it's Kūhiō Day, and I have a couple of historical facts to remind the body that it's not just a day off, but it's a very significant day. His birthday is on Sunday, but we actually have Monday as a holiday. But some of the things that some of us, I know before I researched this, I didn't actually realize.

"He was of the lineage from the Chief of Kauai, and his grandfather was Kūhiō Kalaniana'ole of Hilo, and also the grandfather Jonah Pī'ikoi of Kauai. So his lineage was actually multi-island, neighbor island.

"He became an orphan when his father died in 1878, and he was adopted by the wife of King Kalākaua, Queen Kapi'olani, and when the House of Kalākaua came to power, Kalaniana'ole was appointed to the royal cabinet, but then was the overthrow, and he fought against the overthrow, and he got thrown in jail for one year. He subsequently was exiled. He was exiled in Europe, and actually put Hawaii on the map because they treated him as royalty, as he was, and as was the kingdom still in the minds of most Europeans.

"Then in September 1, 1902, he joined the Republican Party, that was the era of the Teddy Roosevelt party, and he was nominated and elected to Congress. One of the big things he did when he was in the political arena, he instituted local government, and the county system of which we have today, and including the civil service.

"And then in 1919, he became the first ever to introduce Hawaii as a state. Now, it took 40 years for that to happen, but he was the first one to initiate that. I actually hadn't known that, but it was in 1919.

"Then the historic one, which most people will remember, and I remember most dearly, is the Organic Act of 1921 that established the Hawaiian Homes Commission, which he is most known for. But what most people don't know, he didn't have a vote in Congress. He's like, right now we have the American Samoa delegates, we have Virgin Islands, we have Puerto Rico, they don't have a vote. They have influence. So it tells you the Prince Kūhiō character and charisma, he got everybody to vote unanimously for the Hawaiian Homes Commission Act.

"He died then in 1922, but I think his legacy lives on, particularly in those of us who would like to see that 96-year-old act, i.e. the Hawaiian Homes Act, to where there were 203,000 acres put aside for the Hawaiians to restore not only their land but their dignity, and today, Mr. Speaker, 27,000 Hawaiians are still waiting for that.

"But because of this man, because of that, it's not just a holiday for the beach or for other purposes, but this was a man of significance. Not because he was a Republican, but because he had the long range, he had the people in mind, and hopefully someday his legacy will be fulfilled by all the Hawaiians' land and dignities being returned to them. Thank you, Mr. Speaker, and thank you all for your indulgence of this little fact of history."

Representative Tupola: "I just wanted to say I'm grateful for all of our staff members, the clerks, the sheriffs, but today it's actually one of my staff member's birthdays, and he sits right there every day, so I wanted to wish my staff member Kaeo a happy 23rd birthday. Thank you."

#### COMMITTEE REASSIGNMENTS

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

<u>S.B.</u> <u>Nos.</u>	<u>Re-referred to:</u>
836	Committee on Finance
1163, SD1	Committee on Judiciary
1177, SD1	Committee on Finance

#### ADJOURNMENT

At 1:13 o'clock p.m., on motion by Representative Evans, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon Tuesday, March 28, 2017. (Representatives Aquino, DeCoite, Har, Ichiyama, Lee, Nakashima, Souki, Thielen and Tokioka were excused.)

#### HOUSE COMMUNICATIONS

House Communication dated March 24, 2017, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following measure:

H.B. No. 73, HD 1, SD 1