

TWENTY-FIFTH DAY

Tuesday, March 6, 2018

The House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018, convened at 9:08 o'clock a.m., with Speaker Saiki presiding.

The invocation was delivered by Representative Matthew S. LoPresti, after which the Roll was called showing all Members present with the exception of Representatives Ing and Woodson, who were excused.

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

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 11) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 11, dated March 2, 2018, transmitting proposed changes to the FY 19 Executive Supplemental Budget for the Departments of Accounting and General Services; Business Economic Development and Tourism; Education; Hawaiian Home Lands; Human Services; Land and Natural Resources; Taxation; and Transportation.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 38 through 51) were received and announced by the Clerk:

Sen. Com. No. 38, transmitting S.B. No. 2058, entitled: "A BILL FOR AN ACT RELATING TO PRIVATE DETECTIVES AND GUARDS," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 39, transmitting S.B. No. 2099, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 40, transmitting S.B. No. 2122, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 41, transmitting S.B. No. 2153, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZATIONAL REPORTS OF CANDIDATE COMMITTEES," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 42, transmitting S.B. No. 2154, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZATIONAL REPORTS OF NONCANDIDATE COMMITTEES," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 43, transmitting S.B. No. 2244, SD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 44, transmitting S.B. No. 2297, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL CONTRACTORS," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 45, transmitting S.B. No. 2613, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 46, transmitting S.B. No. 2647, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH COUNSELORS," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 47, transmitting S.B. No. 2783, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING

AUTHORITY," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 48, transmitting S.B. No. 2875, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE PROVIDERS," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 49, transmitting S.B. No. 2945, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 50, transmitting S.B. No. 3095, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," which passed Third Reading in the Senate on March 2, 2018.

Sen. Com. No. 51, transmitting S.C.R. No. 5, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF AGRICULTURE TO EVALUATE THE IMPORT REQUIREMENTS AND PROCESS FOR DOMESTIC ANIMALS," which was adopted by the Senate on March 2, 2018.

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

S.B. No. 2058
S.B. No. 2099, SD 1
S.B. No. 2122, SD 1
S.B. No. 2153
S.B. No. 2154
S.B. No. 2244, SD 1
S.B. No. 2297
S.B. No. 2613
S.B. No. 2647
S.B. No. 2783
S.B. No. 2875, SD 1
S.B. No. 2945
S.B. No. 3095, SD 1

INTRODUCTIONS

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

Representative Nishimoto introduced law students and faculty from Aichi University, Aoyama Gakuin University, Meiji University, the University of Ryukyus, and Waseda University in Japan.

Representative Luke introduced Finance Committee bill section staff: Randy Hiyoto, Stacey Tagala, Wren Fukada, Brian Okamura, Ivana Tran, Samantha Wood, Jo Hamasaki, Sean Cummings and Joy Nakashima.

Representative Kobayashi introduced third graders from Waikiki Elementary School, and their teachers, Ms. Blissa Miyasaki and Ms. Vicki Cho.

ORDER OF THE DAY

SUSPENSION OF RULES

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

At 9:16 o'clock a.m., Representative Belatti requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:21 o'clock a.m.

CONSENT CALENDAR**UNFINISHED BUSINESS**

At this time, the Chair stated:

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

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1037-18) recommending that H.B. No. 2051, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEED AND SEED STRATEGY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1038-18) recommending that H.B. No. 2418, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2418, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUNDS USED FOR THE SETTLEMENT OF CLAIMS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1039-18) recommending that H.B. No. 2594, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2594, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE KAHŌ'OLAWĒ ISLAND RESERVE COMMISSION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1041-18) recommending that H.B. No. 2656, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2656, HD 2, entitled: "A BILL FOR AN ACT RELATING TO A SMALL CRAFT BEER PRODUCER TAX CREDIT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1042-18) recommending that H.B. No. 1960, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1960, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1043-18) recommending that H.B. No. 2075, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2075, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1044-18) recommending that H.B. No. 2558, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2558, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE LAB HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1045-18) recommending that H.B. No. 2610, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2610, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TECHNOLOGY DEVELOPMENT CORPORATION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1049-18) recommending that H.B. No. 2107, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2107, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1050-18) recommending that H.B. No. 2182, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2182, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1054-18) recommending that H.B. No. 2328, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2328, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1055-18) recommending that H.B. No. 2746, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2746, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1057-18) recommending that H.B. No. 2748, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2748, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1061-18) recommending that H.B. No. 2414, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and

H.B. No. 2414, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1063-18) recommending that H.B. No. 2442, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2442, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1065-18) recommending that H.B. No. 2003, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2003, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVING WHILE INTOXICATED," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1069-18) recommending that H.B. No. 1880, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1880, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL CONTRACTORS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1070-18) recommending that H.B. No. 2578, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2578, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1074-18) recommending that H.B. No. 1620, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1620, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REPAIRS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1076-18) recommending that H.B. No. 1908, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1908, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1077-18) recommending that H.B. No. 2384, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2384, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1079-18) recommending that H.B. No. 1893, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1893, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Tokioka voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1080-18) recommending that H.B. No. 2373, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2373, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SHARING OF VITAL STATISTICS RECORDS WITH DEPARTMENT OF HEALTH PROGRAM EMPLOYEES FOR APPROVED RESEARCH PURPOSES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1085-18) recommending that H.B. No. 2590, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2590, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AERONAUTICS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1086-18) recommending that H.B. No. 1938, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1938, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1088-18) recommending that H.B. No. 2173, HD 2 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2173, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in strong support of this measure. In an ever-increasing and complicated technology-driven world, we need measures such as HB 2173 to protect our citizens' online personal accounts. This measure would give protections to employees and students, and prospective employees and students, allowing them to decide who has access to accounts and not the other way around. This is increasingly important when you take into account firewalls and networks that collect data and information from those who use them. Citizens should feel comfortable utilizing the internet to interact without facing consequences or judgements; they should also feel confident that their account information and data is being kept secure and not utilized for any unauthorized reason. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2173, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ONLINE ACCOUNT PRIVACY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1089-18) recommending that H.B. No. 2137, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2137, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EQUAL PAY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1090-18) recommending that H.B. No. 2359, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2359, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1091-18) recommending that H.B. No. 2356, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2356, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1092-18) recommending that H.B. No. 1873, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1873, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1094-18) recommending that H.B. No. 1653, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1653, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1096-18) recommending that H.B. No. 2238, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2238, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Choy voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1097-18) recommending that H.B. No. 2207, HD 2 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and

H.B. No. 2207, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DENTAL ASSISTANTS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1098-18) recommending that H.B. No. 2694, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2694, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in strong support of this measure. One of the biggest challenges for homeless persons to get off the street is not having an ID. The birth certificate is a cornerstone document for obtaining official identification which is often needed to get things such as medical coverage, food stamps, social security disability benefits, passing a background check to get into a shelter, employment, a bank account—or cashing a check, finding a legal residence or even getting a P.O. box. A \$10 fee to get a birth certificate may not sound like much to many, but to someone on the streets, it might mean everything. Since homeless people by definition have no residence, they cannot safely and securely store their items like most people, and they are at greater risk of losing their identification, or someone stealing it off their person as they sleep. This principle applies to the money in their pockets as well. As a state that has taken responsibility for the homeless crisis, it makes no sense for the State to continue to have monetary barriers in place that could deter homeless people from their path to getting off the streets. In this instance, let's be practical and make an exception to the rule for the people who have the most to benefit—our homeless who we are always talking about helping but not doing enough for. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2694, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1099-18) recommending that H.B. No. 694, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 694, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1101-18) recommending that H.B. No. 1916, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1916, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1103-18) recommending that H.B. No. 2546, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2546, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AN OUTPATIENT CENTER," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1104-18) recommending that H.B. No. 2670, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2670, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1105-18) recommending that H.B. No. 2276, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2276, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY MONITORING," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1106-18) recommending that H.B. No. 2026, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2026, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1107-18) recommending that H.B. No. 2249, HD 2 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2249, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GRID RESILIENCY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1108-18) recommending that H.B. No. 2274, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2274, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLE CHARGING INFRASTRUCTURE," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1109-18) recommending that H.B. No. 2719, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1111-18) recommending that H.B. No. 2466, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1113-18) recommending that H.B. No. 2581, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2581, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC-PRIVATE PARTNERSHIPS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1114-18) recommending that H.B. No. 2570, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2570, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ROAD REPAIR AND MAINTENANCE IN HOUSING SUBDIVISIONS," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Say voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1115-18) recommending that H.B. No. 2041, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2041, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1116-18) recommending that H.B. No. 2013, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2013, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DIVISION OF CONSERVATION AND RESOURCES ENFORCEMENT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1118-18) recommending that H.B. No. 1971, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1971, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO KUNOA CATTLE COMPANY, LLC," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1121-18) recommending that H.B. No. 1906, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1906, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1123-18) recommending that H.B. No. 2391, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2391, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1124-18) recommending that H.B. No. 2385, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2385, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1125-18) recommending that H.B. No. 2498, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2498, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1126-18) recommending that H.B. No. 2747, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2747, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMEOWNERSHIP," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1127-18) recommending that H.B. No. 2098, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2098, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BOAT HARBORS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1129-18) recommending that H.B. No. 2709, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2709, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

THIRD READING

H.B. No. 2219, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1869, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1869, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD TENANT CODE," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1879, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1879, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1621, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1621, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1850, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1850, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1852, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1852, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2247, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2247, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1659, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1659, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ORGANIZATIONAL REPORTS OF NONCANDIDATE COMMITTEES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1661, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTION CAMPAIGN REPORTING," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1687, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLICATION OF ELECTION NOTICES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1847, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1847, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS FOR SEXUAL ASSAULT," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2070, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2070, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATIONS BY THE ATTORNEY GENERAL," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2133, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2133, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO POLICE DEPARTMENTS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2134, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2318, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2318, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFIDENTIAL PERSONAL INFORMATION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2481, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REFUSE," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 1669, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1669, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCESSIONS ON PUBLIC PROPERTY," passed Third Reading by a vote of 49 ayes to 1 no, with Representative Say voting no, and with Representative Woodson being excused.

H.B. No. 1709, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1709, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2396, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2396, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ADMINISTRATION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

H.B. No. 2416, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2416, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX ON INTANGIBLE PROPERTY," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives Choy, DeCoite, Har, Ito, Say, Tokioka and Ward voting no, and with Representative Woodson being excused.

H.B. No. 2587, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

At 9:24 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2051, HD 1
H.B. No. 2418, HD 1
H.B. No. 2594, HD 2
H.B. No. 2656, HD 2
H.B. No. 1960, HD 2
H.B. No. 2075, HD 2
H.B. No. 2558, HD 2

H.B. No. 2610, HD 2
H.B. No. 2107, HD 2
H.B. No. 2182, HD 2
H.B. No. 2328, HD 1
H.B. No. 2746, HD 2
H.B. No. 2748, HD 2
H.B. No. 2414, HD 2
H.B. No. 2442, HD 2
H.B. No. 2003, HD 1
H.B. No. 1880, HD 3
H.B. No. 2578, HD 2
H.B. No. 1620, HD 2
H.B. No. 1908, HD 2
H.B. No. 2384, HD 1
H.B. No. 1893, HD 1
H.B. No. 2373, HD 2
H.B. No. 2590, HD 2
H.B. No. 1938, HD 1
H.B. No. 2173, HD 2
H.B. No. 2137, HD 1
H.B. No. 2359, HD 1
H.B. No. 2356, HD 1
H.B. No. 1873, HD 1
H.B. No. 1653, HD 2
H.B. No. 2238, HD 1
H.B. No. 2207, HD 2
H.B. No. 2694, HD 1
H.B. No. 694, HD 2
H.B. No. 1916, HD 2
H.B. No. 2546, HD 2
H.B. No. 2670, HD 2
H.B. No. 2276, HD 2
H.B. No. 2026, HD 2
H.B. No. 2249, HD 2
H.B. No. 2274, HD 1
H.B. No. 2719, HD 1
H.B. No. 2466, HD 1
H.B. No. 2581, HD 2
H.B. No. 2570, HD 1
H.B. No. 2041, HD 2
H.B. No. 2013, HD 2
H.B. No. 1971, HD 2
H.B. No. 1906, HD 2
H.B. No. 2391, HD 2
H.B. No. 2385, HD 2
H.B. No. 2498, HD 1
H.B. No. 2747, HD 2
H.B. No. 2098, HD 2
H.B. No. 2709, HD 2

H.B. No. 2219, HD 1
H.B. No. 1869, HD 1
H.B. No. 1879, HD 1
H.B. No. 1621, HD 1
H.B. No. 1850, HD 1
H.B. No. 1852, HD 1
H.B. No. 2247, HD 1
H.B. No. 1659, HD 1
H.B. No. 1661, HD 1
H.B. No. 1687, HD 1
H.B. No. 1847, HD 1
H.B. No. 2070, HD 1
H.B. No. 2133, HD 1
H.B. No. 2134, HD 1
H.B. No. 2318, HD 1
H.B. No. 2481, HD 1
H.B. No. 1669, HD 1
H.B. No. 1709, HD 1
H.B. No. 2396, HD 1
H.B. No. 2416, HD 1
H.B. No. 2587, HD 1

At this time, the Chair stated:

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

At 9:25 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:36 o'clock a.m.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1036-18) recommending that H.B. No. 2300, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2300, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1040-18) recommending that H.B. No. 2698, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2698, HD 3 pass Third Reading, seconded by Representative Morikawa.

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

Representative LoPresti's written remarks are as follows:

"Mr. Speaker, in strong support of this measure. On November 11 of this year, the United States will see the 100th anniversary of the end of World War I. This legislation would serve to recognize the more than 10,000 soldiers and civilians from Hawaii who served and sacrificed in the Great War. The National World War One Centennial Commemoration, which was established by an Act of the U.S. Congress in 2013, relies on each state and territory to plan and carry out its own commemoration programs. Hawaii's Governor formed the Hawaii World War One Centennial Task Force to lead the State's efforts. The commemoration effort cannot accomplish its assigned mission without funding. If Hawaii is to have a commemoration worthy of the sacrifices and service of the people who served either in uniform or civilian capacity, it must be funded by the State. This legislation will allow the people of Hawaii to express their respect, admiration, and gratitude to the generation who served during the Great War. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2698, HD 3, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1046-18) recommending that H.B. No. 2007, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives Choy and San Buenaventura voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1047-18) recommending that H.B. No. 584, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 584, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 584, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 50 ayes, with Representatives Lowen and San Buenaventura voting aye with reservations, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1048-18) recommending that H.B. No. 2106, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2106, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Third Reading by a vote of 49 ayes to 1 no, with Representative McDermott voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1051-18) recommending that H.B. No. 2547, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2547, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, with reservations, brief comment. My reservations are three part. This is creating an Office of Sustainability within DBEDT and it's appropriated \$2 million for one director, six staff positions, which in one of the testifiers testimonies kind of pointed out that there is, this is a huge appropriation for that many positions, and of course, with the amount of need that we have in our state right now for homelessness, for other things, I'd be remiss to not point out that that was high. And of course, blanking it out and making sure the conversation continues is important.

"However, in the Attorney General's testimony they also pointed out that many of these responsibilities within this new Office of Sustainability is duplicative of that of the Office of Planning, and that there was no differentiation, meaning that there will be increased inefficiency. Secondly is that it's also going to allow the office to solicit and accept donations while they're giving advice to the Governor and the Legislature, which seems against ethics.

"And I think my last concern with the Office of Sustainability is that there's no clear funding source. So although I love sustainability, I don't know if I can vote for a new office that's not going to be sustainable because there's no clear source, it's going to be accepting donations, and many of the services are duplicative. So those are my reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2547, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Third Reading by a vote of 50 ayes, with Representative Tupola voting aye with reservations, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1052-18) recommending that H.B. No. 2021, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2021, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"In support. Thank you, Mr. Speaker. My brief comment about this was that it was in regards to the Hawaii Youth Correctional Facility, which ends up that our youth are doing much better. So there's a lot of space in there, they want to start using the facility. However, as we have in our HRS right now, that severe mental illness, meaning people that need that type of support, need to go to a psychiatric hospital. So they're not allowed to go to a community center or a non-profit, because you actually need a lot of those services. And those are my two concerns.

"Of course I support homelessness, but sending any severe mental patient to a place that isn't a hospital is actually against what we have in our current guidelines. And secondly is making sure that these new support places, say for example Hawaii Youth Correctional Facility, has enough support staff to handle this kind of severe mental illness. The pilot projects suggest that we start with 10 people, which, maybe that's not a lot, but you never know what kind of illnesses they have. So 10 people could be a lot for them to handle, we don't know. And then, after they are given that treatment, where do they go? Back out to the street? And that's where that other part of it really needs to be thought through. Because as we start a pilot program that doesn't have a clear, I guess, direction of where they go, we could be making it worse and maybe not helping where we want to. So those are my concerns. It's still in support. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support. I personally have a friend whose daughter has been mentally ill, and I've learned from that experience that people go into the hospital and they get treated, but according to the federal law and insurance and payment schedule, they can only offer services for a limited amount of time, and then they release them and then they go back on the street again. And of course we have Mental Health Kokua and other providers, Hope Services on Hawaii Island, that try to provide housing for them, but, but we give the right to mentally ill patients to have their own choice, their freedom of where they want to go.

"But I think what this bill is doing is really moving us in the right direction. Number one, it's a pilot, but more importantly what it's saying is, some people are very, very severe, and they are out on the streets, and they really need to be in an environment that's very supportive for them, and it really is going to take a specialty and certain people that can work with those type of folks. I believe there is going to be due process in this bill, and I think it's an unmet need that's long overdue.

"I'm looking forward to seeing how this pilot project gets rolled out, because it's been really a sad situation to see this person that I know sleeping on the doorways every night in Kona, and really needing to be in a home that can provide services. More than just, again, Hope Services and Mental Health Kokua that provides these group homes, but really don't have that staffing, and that mandate or that vision or mission of really helping these people that are severely in trouble. So thank you, and I strongly urge everyone to support this. Thank you."

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

"Thank you, strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2021, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESS INDIVIDUALS WITH SEVERE MENTAL ILLNESS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1053-18) recommending that H.B. No. 2493, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2493, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1056-18) recommending that H.B. No. 2750, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2750, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2750, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Har, Matsumoto, Tokioka, Tupola and Ward voting aye with reservations, with Representatives Ito, McDermott and Say voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1058-18) recommending that H.B. No. 1725, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1725, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1059-18) recommending that H.B. No. 2114, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2114, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Say, Tupola and Ward voting no, and with Representative Woodson being excused.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1060-18) recommending that H.B. No. 2598, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2598, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in strong support, request to insert written comments, and just brief remarks. Mr. Speaker, this is a work in progress, a priority of the Women's Legislative Caucus, and I would like to commend the Labor Committee and its chair for putting work into this as this continues to move forward. Thank you, Mr. Speaker."

Representative Belatti's written remarks are as follows:

"Mr. Speaker, I stand in strong support of House Bill 2598, House Draft 2.

"Paid family leave has long been a policy that many in our community have worked towards. Indeed, in a community that prides itself in placing a high priority on *'ohana* and coming together to take care of those who are sick, frail, and elderly within one's family, paid family leave is a policy that supports our community's core values surrounding *'ohana*.

"The intent of House Bill 2598, House Draft 2 is to establish a paid family leave program into statute and provide a reasonable timeline in which to work out the complex details in setting up such a program that can broadly help the 247,000 people who serve as family caregivers throughout the state.

"Some may criticize that this approach does not go far enough. However, any system and program that seeks to provide the types of benefits that will have as broad an impact as this policy may have on workers, businesses, and society-at-large should be done carefully. Time will be needed to determine the appropriate balance of funding for paid family leave, capitalize any system that will pay out family leave payments, and build out the staff needed to manage such a system.

"Because a benefit such as paid family leave can have such broad impacts on our community, I support the approach being taken in this measure to carefully craft a paid family leave program that will work for Hawaii's people."

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

Representative DeCoite's written remarks are as follows:

"I have reservations on this bill because I have heard from many in my district who may be negatively affected by this bill because it will increase their costs of doing business. This bill will affect all employers, large or small, and will also impact all employees because they will have to make payments into this new Paid Family Leave Special Fund. Most benefits such as this are entirely employer paid and I believe that paid family leave may eventually have to be borne only by employers. One negative consequence if this bill passes is that employers may end up reducing their staff to pay for this additional cost. That is not what we want or need. I also recognize the need that employees have in taking care of their families, so I hope that as this bill moves forward, we will be able to find the right balance that we can all live with. *Mahalo*."

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

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

"Strong support, permission to enter comments."

Representative LoPresti's written remarks are as follows:

"Mr. Speaker, in strong support of this measure. It is time to catch up with the rest of the civilized world which treats their employees with compassion, empathy, caring, and humanity. Family members are born. Family members can become ill. Why do we continue to go on as if these things shouldn't affect us and that employees must be expected to choose work over family? I propose that not having paid family leave is a knowing and deliberate regressive policy that we have allowed to exist all this time. The people that this regressive policy hurts the most are people at the lowest income levels,

while the people at higher income levels can rely on paid leave, employer perks, or personal savings and other financial assets. Let's acknowledge that someone who has a new baby is not always a stay-at-home mom, but could be a working single mom (or dad) or a part of a family that is barely making ends meet. Let's acknowledge that Hawaii is a special place where we want to personally care for our *'ohana* during the hour of their greatest need. Let's end the nonsense and finally adopt a progressive policy of paid family leave for all employees. Thank you, Mr. Speaker."

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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2598, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY LEAVE," passed Third Reading by a vote of 49 ayes to 1 no, with Representatives DeCoite, Har, Tokioka and Ward voting aye with reservations, with Representative Tupola voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1062-18) recommending that H.B. No. 2436, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

At 9:46 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2300, HD 1
 H.B. No. 2698, HD 3
 H.B. No. 2007, HD 1
 H.B. No. 584, HD 2
 H.B. No. 2106, HD 3
 H.B. No. 2547, HD 2
 H.B. No. 2021, HD 2
 H.B. No. 2493, HD 2
 H.B. No. 2750, HD 2
 H.B. No. 1725, HD 2
 H.B. No. 2114, HD 2
 H.B. No. 2598, HD 2
 H.B. No. 2436, HD 1

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1064-18) recommending that H.B. No. 1632, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1632, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1632, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Third Reading by a vote of 49 ayes to 1 no, with Representatives LoPresti and Tupola voting aye with reservations, with Representative Lowen voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1066-18) recommending that H.B. No. 1851, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1851, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in support. I'd just briefly like to thank the Judiciary Committee Chair for taking the time out during the hearing to explain to us what exactly this measure was. It's sort of confusing for non-attorneys, but he was creating a tool to get tough on people who show pornography to children. So it was a very confusing matter, but we thank him, and thank you for giving the time, Chair. Took us aside and spent some time with us. He didn't have to do that, and I'm grateful he did. Thank you."

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

"Thank you, Mr. Speaker. I rise with slight reservations and a few comments. My only concern is the language about the person voluntarily performs duties that are parental in nature to generally provide for the minor. To put it in context, it's a pornography bill, and it's defining the definition of *in loco parentis*, a situation in which a person who is a non-parent or legal guardian of a minor stands in place of a parent. My slight reservation is I know that in state libraries and schools, many times there's opportunities, possibly, a minor may be in the building or in their presence and there may be some situation, exposure to pornography, and I don't want to inadvertently have created a situation where parents or other people may file a complaint against them. So I was just slight hoping that I want to make sure in the end that there is protections in place for staff. Thank you."

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

"Thank you, Mr. Speaker. With slight reservations as well, brief comment. Thank you, Mr. Speaker. My concern was similar to the prior speaker in referencing the Attorney General's testimony as well as sitting down with the prosecutors, is trying to wrap my head around if it expands the protection for those who might be with a child for any extended period of time, whether that's a coach, whether that's a babysitter, whether that's a sleepover. So those are concerns, obviously it has some ways to go, hoping that it gets clarified, but of course, applauding those who are trying to take this and do the right thing to prosecute in a situation that happened that needs to be addressed. Thank you."

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

"Mr. Speaker, with reservations, brief comment. Mr. Speaker, this bill clearly fits the definition of being a conundrum. The best lawyers in this building, the AG and all the others, have two different sides to the issue. On the floor, it's not clear, and if you're a member of the public, how are you going to decide on something that even we can't decide on. Even though it's likely to pass, it's not really clear-cut when you have the top lawyer in this building saying, this is going to spread pornography more easily because of the way that it covers so many people, which otherwise would not be. So for those reasons, Mr. Speaker, I'm with reservations for this conundrum bill. Thank you."

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

"In strong support, brief comments. First and foremost, Mr. Speaker, I want to thank the Judiciary Chair for having the fortitude to hear this bill. If you actually understand the issues, where this case arose from, the Judiciary Chair took the bold move of tightening up a loophole that we have in the law. And so, as a previous speaker from Ewa Beach had noted, if you actually understood the genesis of this bill and why the Judiciary Chair heard this bill, you would understand why this is passing as it is. So for these reasons, Mr. Speaker, I'm in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1851, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PORNOGRAPHY," passed Third Reading by a vote of 50 ayes, with Representatives Evans, Tupola and Ward voting aye with reservations, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1067-18) recommending that H.B. No. 1849, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1849, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Ruling on a potential conflict. My husband is a police officer."

The Chair addressed Representative Tupola, stating:

"There's no conflict and it will remain in effect throughout *sine die*."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1849, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1068-18) recommending that H.B. No. 1768, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1768, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1768, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES," passed Third Reading by a vote of 43 ayes to 7 noes, with Representatives LoPresti and Matsumoto voting aye with reservations, with Representatives Choy, DeCoite, Har, Ito, Say, Tokioka and Tupola voting no, and with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1071-18) recommending that H.B. No. 1602, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1602, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative Thielen's written remarks are as follows:

"I stand in support of this bill in the fight against the deadliest drug crisis to ever hit America—spreading faster than the HIV epidemic & killing more in 2016 alone than the total U.S. troops killed in the 20-year Vietnam War.

"I declare that our nation treat opioid drug makers and distributors the same way we did tobacco companies—like pariahs. In the 1990s, American including Hawaii legislators used multipronged strategies and tactics against the biggest cigarette makers due to unrelenting pressure by citizens. Eventually, smoking was banned in public.

"This week, the New York Times stated that the Sackler family—who invented OxyContin, led a marketing campaign that deceived doctors, is worth some \$14 billion and ranked as one of the 20 wealthiest families in America: ' . . . bear a large share of responsibility for the opioid epidemic through their pharmaceutical company's production and fervid promotion of OxyContin. Having facilitated one of the biggest public health crises in modern American history, they need a new profile. The art world should not help them achieve it.'

"HB 1602 will alert consumers that these products are addictive and can cause death."

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

"In support, and just wanted to thank the introducer as well as those working on this, as this issue is very severe, and I'm grateful that we're taking a measure to address that. So, thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1602, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPIOIDS," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1072-18) recommending that H.B. No. 2143, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2143, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSIS SERVICES," passed Third Reading by a vote of 48 ayes to 2 noes, with Representatives McDermott and Tupola voting no, and with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1073-18) recommending that H.B. No. 2741, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2741, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative DeCoite's written remarks are as follows:

"With reservations. I believe that this bill may be premature because cannabis is still illegal under federal law. Until the States and the Congress can reconcile this problem, working on insurance reimbursements is premature. There are many other medications that are not reimbursable by insurance because they are still in the experimental stage and not approved by the FDA. I believe medical cannabis is in a similar boat, so I am voting on this bill with reservations. *Mahalo.*"

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

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

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 H.B. No. 2741, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL CANNABIS," passed Third Reading

by a vote of 49 ayes to 1 no, with Representatives DeCoite, Har, Tokioka, Tupola and Ward voting aye with reservations, with Representative Choy voting no, and with Representative Woodson being excused.

Representative Takumi, for the Committee on Consumer Protection & Commerce, presented a report (Stand. Com. Rep. No. 1075-18) recommending that H.B. No. 2651, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2651, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative DeCoite's written remarks are as follows:

"I am voting with reservations on this bill, so we can continue the discussion to establish a process to improve access to broadband services throughout the state and to ensure that these services are affordable for all residents. Both the IAC and CPC Committees made numerous changes to the bill, and as it moves to the Senate, I hope any further changes will result in improvements to that policy framework establishing a robust, reliable, and technologically advanced wireless broadband network. *Mahalo.*"

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

"With reservations. I'm watching it, it's a very complicated issue. There's still a lot for me to learn about it, and for now I just want to express my reservations. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2651, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS BROADBAND FACILITIES," passed Third Reading by a vote of 49 ayes to 1 no, with Representatives DeCoite, LoPresti and Tokioka voting aye with reservations, with Representative Say voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1078-18) recommending that H.B. No. 2530, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2530, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD CARE," passed Third Reading by a vote of 50 ayes, with Representative Matsumoto voting aye with reservations, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1081-18) recommending that H.B. No. 1650, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1650, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SAFETY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1082-18) recommending that H.B. No. 1859, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1859, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 47 ayes to 3 noes, with Representatives Har, McDermott and Tupola voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1083-18) recommending that H.B. No. 2399, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1084-18) recommending that H.B. No. 1942, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSING," passed Third Reading by a vote of 46 ayes to 4 noes, with Representatives Matsumoto, McDermott, Tupola and Ward voting no, and with Representative Woodson being excused.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1087-18) recommending that H.B. No. 2589, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2589, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTORCYCLES," passed Third Reading by a vote of 50 ayes, with Representative Woodson being excused.

At 9:56 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1632, HD 1
 H.B. No. 1851, HD 2
 H.B. No. 1849, HD 2
 H.B. No. 1768, HD 2
 H.B. No. 1602, HD 2
 H.B. No. 2143, HD 2
 H.B. No. 2741, HD 2
 H.B. No. 2651, HD 2
 H.B. No. 2530, HD 1
 H.B. No. 1650, HD 2
 H.B. No. 1859, HD 2
 H.B. No. 2399, HD 1
 H.B. No. 1942, HD 1
 H.B. No. 2589, HD 2

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1093-18) recommending that H.B. No. 2617, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2617, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"In support. I wanted to thank the introducer, and just a quick comment. Last year on Fourth of July, we had over 10,000 people at Waikiki on these flotillas, and last year Memorial Day, which both of those holidays are coming up, the same Instagram flotilla phenomenon happened at Waimea Bay, and it was horrible. I mean, there was thousands of people out there, minors included, all over the area, and it wasn't just for HPD, HFD got out there, DLNR got out there, all the lifeguards were out there trying to man and police this incident. So I think that it's definitely a step in the right direction as we have these holidays coming up this summer. People love being outdoors, but we should always be safe. Thank you."

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

"Thank you, Mr. Speaker. While I appreciate the intent and support of this measure, I have to stand with some reservations. My concerns stem from page 3, starting at line 19, where they define a floatation device to include a surfboard. However, further down, it says it's not included if it's propelled by mechanical means, and as somebody who surfs and paddleboards quite a bit, as many of my constituents do, the fact that mechanical propulsion exempts this very same craft from a floatation device, and you inadvertently have surfers who could fall into this law who are just surfing. And anyway, I hope when the Senate looks at this, they will address the situation as to whether an exemption exists for just regular old surfing after a few cold ones. Thank you."

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

"In opposition, Mr. Speaker. I like to drink beer in the ocean. I think a lot of people like to drink beer in the ocean. I don't think there's, again, any ill-intent in this measure. I think it's an overreaction to a couple of incidents, and there are far better ways to address this issue. And quite frankly, my police officers on the North Shore of Oahu have far better things to do than to write tickets for people drinking beer in the ocean. Thank you."

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

"In support. So, I kind of want to talk about the problem. Since July, there was about 200 rescues outside of Waikiki. Our emergency, our first responders that we all say we all would support, were very, very much overwhelmed. There's 12 ambulances for the south side of Oahu, 10 were used in that one spot. So if something was going on with your family or you had like some emergency, there's a chance that there would be a huge delay in emergency services getting there. So this was actually prompted by first responders, the police officers who have better things to do, and they came to me and said, we should do a bill about this. So it is about enforcement.

"Right now, it's impossible to enforce these underage drinking laws in the water, so there's no way to card people. During that event, there was a 17-year-old woman, or girl, a 17 year-old-girl who was hospitalized in critical condition, had to get her stomach pumped for alcohol poisoning. There was 10 people, actually, that got rushed to the hospital that day.

"And lastly, the media interviewed Sustainable Coastlines, who talked about the extreme litter that transpires from these events, and how these floatation devices break open, and there's these little Styrofoam balls that look like fish eggs, and these fish will bite them, and then float at the top, and they can't dive down to get food and they die. So it's one of the most heavily causes of littering out of any event in the water.

"And currently, you can't drink on the beach, but as soon as you walk into the water you can, and it's a loophole, really. And I don't know, I just find it disappointing that people in this body are trying to drink while swimming. Most surfers I know, I grew up surfing, don't do that, and they're actually really concerned about litter in the water. And look, I'm a young guy, I'm all about having fun, but we've got to do it responsibly. Like, people are dying, our reefs are getting destroyed. Thank you. Not dying, getting really close to dying, critical condition. Thank you. Don't want to exaggerate."

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

"Thank you, Mr. Speaker. I was just going to reaffirm that I'm in strong support of this bill, and it's ironic that we don't have a law, swimming under the influence. 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 Tupola rose to respond, stating:

"Second time, still in support, Mr. Speaker. I just wanted to commend the introducer, again, because, again, speaking from somebody who actually understood the day that it happened last year, on Memorial Day, and it actually started the night before, the amount of minors that were getting this Instagram post about what was going to go down, what you should bring, what was going to happen while we're there, maybe we do some alcohol, maybe some drugs. It was, I actually saw the posts, I got to see what happened that day with the amount of responders that were out there, and how they didn't have a mechanism whereby to handle the situation, and that's what we're talking about. Not for just regular, every day, they're not going to go out there and bust guys that are just swimming around. We're actually specifically making a mechanism for days like this, when thousands of people are out there.

"The emergency medical services couldn't handle it, the police couldn't handle it, the HFD was out there trying to handle it. There was a bunch of minors whose parents didn't even know they were out there that day, and they started the night before, camping out on the road, waiting for this event to happen. So again, it's not for the overall enjoyment of the water, it's so that in the event of events like this, that we have a way to actually have a mechanism so that they can do something about it. Thank you."

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

"Mr. Speaker, I wish to have a nay vote on this measure here. Historically, families have always gathered and sometimes consumed a little bit of beer, drinking, and I think it's unrealistic to say that you can't drink on the shoreline. And I hope as we go along this bill will be put into sleep, and if I can use the term, drowned a little bit. Thank you."

Representative San Buenaventura rose to respond, stating:

"Second time in reservations, and I just want to point out. I understand Oahu's problem with this flotilla, I'm just concerned that it casts a wide net, that it will affect neighbor island fishermen who are innocently drinking while fishing or diving, and I understand that it refers to bathers. I also do understand that it doesn't refer to the thousands of bathers that prior speakers were referring to, it talks about individuals, and that's what I'm concerned about. Thank you."

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

Representative Ing rose to respond, stating:

"Still in support, but I also have a point of information. This doesn't ban drinking on the shorelines, that's already law. Second, when it comes to like drinking and diving, people probably shouldn't be doing that, either. It's like you have a spear gun and dude, whoa! It's kind of crazy to think about. So, but I am open, if this does go over to conference, that we can broaden it after hearing everybody to maybe five or more bathers in one area, something like that, that might make more sense to quell some of the concerns. Thank you."

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

"Thank you, Mr. Speaker. In support. I do want to note that it's not an over exaggeration to talk about deaths. There was a death in Kaneohe as a result of one of these flotilla events that took place on the Kaneohe Sandbar, and this Legislature took action to impose strict regulations on allowing these

types of events to happen out on the Kaneohe Sandbar. And so, what happened? It spilled over into Waikiki, it spilled over into the North Shore.

"Also, if you speak with the DLNR about these types of events, what they will tell you is that these sorts of random boat parties, floatation parties, pop up across the state, including on Niihau, right offshore. Because, while they're not allowed to trespass on the private property, they are allowed to go on the beach, and they do participate in these types of parties right off shore. So taking a broader statewide approach to this type of activity, I think is the right direction to go.

"Now, should fisherman on boats hooking *akule* be prohibited or come in contact with criminal liability for having a few while they're fishing? No, I don't think so, and I think that a reasonable attempt was made in the various committees to make sure that we're drawing the line in the proper way, and if the Senate has disagreements with how to properly define that line, I think then that's a discussion that we can have. I agree with the Representative from Kihei. Wielding a spear gun in the water, diving is an inherently dangerous activity, I don't know if those folks should be exempt from the prohibition on consuming alcohol on the water.

"But again, it's illegal to drink on the beach. It's illegal. So to allow thousands of folks to just venture out into the water and drink, and then congregate in these manners, so you have thousands of pounds of rubbish that wash up the next day on the shoreline, broken floatation devices, bottles, Styrofoam coolers, it's a problem. And we saw it in our community, and so because it was the first incident of its kind, oh and by the way, yes, there was a gentleman who was heavily intoxicated when he got back to Heeia Kea Pier, got into a fight, got punched, fell, hit his head on the cement, and died. And so that's the type of unforeseen circumstances that come from allowing these huge congregations of people to act in an inappropriate manner.

"We have lots of regulations and rules about these types of events while they're on land, and I don't see why we shouldn't take a look at this stuff from a broader perspective across the state, instead of having people die in different locations, after these events pop up across the state, and then reacting the way we did in Kaneohe, by just banning the activity in one specific area, one at a time. So for those reasons, I stand in support. Thank you."

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

"Mr. Speaker, with reservations and a brief comment that, in today's opioid and drug culture, eliminating alcohol is symptomatic, maybe of that subculture, but with the drugs and the opioids that are around, I think we're going to be scratching the surface if this passes. Thank you."

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

"Thank you, Mr. Speaker. With reservations. Just concerned about the overreach on the neighbor islands where, on Kauai, drinking at public parks is allowed during certain hours of the day. So, just concerned about the sensitivities to recreational users on the neighbor islands. Thank you."

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

"Thank you, Mr. Speaker. With reservations, a slight comment. I haven't heard anybody say this, but I was thinking about, we have laws on drinking while driving a car, so it may be that we should be looking at drinking and driving the boats, and making the person, the owner of the boat, responsible for the behavior of the people driving it. So if somebody is harmed, just like if someone's drinking while driving in a car, there is some penalty for that. So I'd like to see it advance, I think it's good discussion, and it is a problem that has to be addressed. Thank you."

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

"Mr. Speaker, reservations. I also, on the neighbor islands, we actually had a case where a person was given a ticket for drinking while riding on horse, and I would just like to kind of reflect on that. He lost his beer and his ukulele in the process, and the horse was guiding him home, but he did have to appear in court, and of course it was thrown out of court. But reservations, Mr. Speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2617, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OCEAN WATERS," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives DeCoite, Evans, McKelvey, Nakamura, San Buenaventura, Tokioka and Ward voting aye with reservations, and with Representatives Gates, Holt, Quinlan and Souki voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1095-18) recommending that H.B. No. 2454, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII CORRECTIONAL INDUSTRIES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1100-18) recommending that H.B. No. 1676, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1676, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In support. We've seen similar bills to this for the past four years I've been here, and I just really support expanding these. Gosh, I wish I could just buy an EMS or an ambulance for some of these areas that have been without for years, decades for some areas. Puna. I mean, I appreciate my colleagues from the neighbor islands bringing up how long, how many years it's been without, and in some areas that were brought up in the hearing, over an hour before you get an ambulance coming to you. So we're definitely spoiled here on this island, and of course I support expanding this in areas where they desperately need it. Thank you."

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

"Strong support. I just wanted to draw attention to the nexus between this bill and the bill previously on consuming alcohol in the water. One of the major problems with both of these is, we don't have enough ambulances. And when we have Panama City beach-style spring break *fiestas*, which we don't want the reputation of, that takes away resources of our ambulances to actually help people in need elsewhere in the community, and so we definitely need this. Thank you."

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

"Thank you, Mr. Speaker. Strong, strong, strong support. Mr. Speaker, this bill kind of catches Oahu off guard, and as my colleague said, thanks to the neighbor islands, particularly Kauai and the Big Island, and hey we've got an emergency ambulance situation that's nearing a crisis. Some of our ambulances have over 400,000 miles on them, and I wonder why. Well, Kauai got its last new ambulance in 1992, Maui got its last new ambulance in 2004, the Big Island 2005, and Honolulu in 2012. Every year there's about a 3% increase in calls, that's about 4,400. In 2012, there were 125,000 calls, and 2017, 146,000 calls. And, Mr. Speaker, this is not to mention what came out in the hearing that probably 5% to 10% of these increases, or 10% of the calls, are from the homeless population. One individual was cited as having 195 calls in one year. And it's not to blame on them, but the point is, everybody is getting more calls to the ambulance, for various and sundry

reasons. The projected increase of the 65 and older population who use the EMS is going to be 17% in 2016 to 23.5% by 2030.

"The point is, Mr. Speaker, there's a real need for this bill, and by increasing the number of ambulances, our state will be able to reach those requiring EMS services in a timely manner. So the point is not just having access to an ambulance, it's having access in a timely manner, Mr. Speaker. If it's a stroke, you've got to be really, really quick. If you get there too late, the paralysis may not be correctionable.

"The point is that Honolulu City and County has only 18 ambulances, or 20 ambulances to serve 1 million people, and in the hearing, it was said we need at least double that amount, just for Honolulu, Mr. Speaker. At the Hawaii Kai neighborhood board, the EMT employee stated that an ambulance from Hawaii Kai drove to Makakilo due to a lack of ambulances in that area. In fact, he said that probably 48% of sometimes of the East Honolulu ambulances were moving into the urban areas and beyond, even sometimes as far as Nanakuli.

"This is not to play favorite geographical reasons, but it's a wakeup call that we have not given this entity, EMS through the City and County, enough funds, and even the city council members who were at the neighborhood board meetings said, what? This is what we've got as the state of the art of EMS service? That's the difficulty, Mr. Speaker. Again, as I said earlier, a stroke, odds of survival drastically decrease after you get beyond so many minutes. Drugs, odds are less than 50% if it's beyond 18 minutes. There's a lot of overdoses, as you know. And drowning needs to be rescued within nine minutes, after nine minutes they're really, really in trouble.

"The point is, Mr. Speaker, as we are charged to first secure the safety and the security and the health of the people of the State of Hawaii, this bill needs to be taken very seriously, and hopefully increase. And there's one way to increase it without taking money out of the coffers, and that was in the testimony it said that the majority of ambulance services in the mainland do an *a la carte* service, which means, when you have an ambulance, depending on what services or what medical medicines or drugs that you get, you pay for those individually, the same way that when you go to the hospital. Hawaii has, at least the City and County of Honolulu, a \$1,200 flat fee. Whether you get all kinds of adrenaline or other kinds of anti-stroke or whatever medicine, charge is all the same. Forty million dollars are raised by just that flat fee, but what was brought on in the Finance Committee is if we did an *a la carte*, we would be able to raise that, and hopefully buy a few more ambulances that wouldn't have mileage, and that wouldn't have pick up times so great.

"So Mr. Speaker, this is kind of a wake-up call for all of us, all of our districts are affected by this, and I think, even though it's through the City and County, we have been the ones that pony up the money, and I hope with this bill, we will continue to do so. Thank you."

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

"Thank you, Mr. Speaker. In support, and I'd like to thank you, Mr. Speaker, for introducing this bill for all the men and women at EMS that struggle every day to get to their patients on time, and people who are suffering and need the service, and I would like to adopt the words from the Representative from Kahala, and that will be my longest floor speech of this session. Thank you very much, Mr. Speaker," and the Chair "so ordered." (By reference only.)

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

"In support. Thank you. I would like to point out that although the Big Island has had ambulance in 2005, Puna has grown almost exponentially since then, and we have substandard roads, and the only thing I'm a little bit irritated about is that Oahu has co-opted our emergencies, whereas we have been in dire need for a long time. I understand that there's a need everywhere, and I do understand that, but we have been requesting for a Puna ambulance bill for long time, and it was a top priority, and this bill kind of co-opted our need. And for that reason, little bit irritated, but I am in support. Thank you."

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

"Briefly, in support. I just kind of wanted to echo some of the prior comments. My brother actually started his fire career in Puna, and there's one ambulance to serve an area that's roughly the size of Oahu. I spoke with him this weekend about this bill specifically, and he told me that the average medical call is about two to two and a half hours, when you count the commute time. You're talking about basically a two-lane road, and it's 25 to 30 miles out of Hilo, which is the only hospital that services the region.

"So this will literally save lives, and I wanted to thank the Finance Chair for finding kind of a creative solution to some of the squabbling that happened in our committee with various EMS services by appropriating this funding to the state EMS, where they can then prioritize instead of allocating it specifically to an area. Thank you."

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

"Thank you. I rise in support, and I just want to point out that in West Hawaii, we've had a request for several years now to try to get this ambulance unit because we have, again, the same issue of not adequate response time. The community really stepped up and built a fire station, but we need to get it outfitted with this emergency ambulance.

"And I really want to shout-out to the Finance Chair for moving this forward, because this has been a problem on how we're going to really find the funding to address all these issues. The more roads we build, the more traffic we get, the less response time. And so we have to address the fact that just like the previous speaker from Kahala said, with strokes and heart attacks, you have to get to people in a timely manner or they will be brain dead. And that's not acceptable nowadays in these day and age. So, thank you everybody, and I hope we get everybody supporting this. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1676, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1102-18) recommending that H.B. No. 2014, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2014, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1110-18) recommending that H.B. No. 2724, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2724, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENERGY AGENCIES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1112-18) recommending that H.B. No. 2176, HD 2 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2176, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2176, HD 2, entitled: "A BILL FOR

AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Tupola voting aye with reservations, and with Representative Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1117-18) recommending that H.B. No. 2653, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2653, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In support, brief comment. This is a real issue, one of my own constituents has contacted me about it. It's in regards to when the waterline comes up. So the waterline comes up, that part of your property is not yours anymore. And so the issue is that those areas are not being repaired, because whose property is it? Does DLNR come out and rebuild it? No, they don't. But there are concerns with people giving away public land, and I can understand both sides of it, but in the event that somebody's house is crumbling and they don't have the right to fix it, because it's not theirs anymore, that's what this seeks to try to address. Thank you."

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

"Thank you, Mr. Speaker. I'm rising with reservations, and I'd like to give a few comments as to why. Thank you. I know the introducer of this measure is trying to help when we're set in a situation where we are having sea level rise. Hawaii's shorelines are public lands up to the high wash of the waves, and we all know that, Mr. Speaker. Under this bill, the Department of Land and Natural Resources can set up short duration easements to enable these shoreline landowners to consider alternatives to ultimately relocate those private structures that now are landward of the shoreline setback land. In other words, they originally had maybe revetment seawalls, whatever, on the shoreline, legally permitted and legally cited, and then with sea level rise and other environmental developments, those lands became *mauka* of the shoreline setback line. And the idea is, under this bill, to say to DLNR, you can grant easements for up to 35 years for those structures. It's a 10 year, and then renewals, and they total 35 years.

"My concern is that it's not in the best interest of properly managing our shorelines, as we're faced with the sea level rise in the islands. So there's a way to, I think, to fix it, and that's if you turn to page 3 of the bill, and it's the first paragraph that's running over from the prior page, it's talking about short-duration term easements to enable these landowners to consider alternatives to ultimately relocate these private structures landward of the shoreline setback line. Well, don't just let them consider it. If we're giving them up to a 35-year lease on those properties, at a very nominal fee, by the way, do it to enable these landowners to promptly pursue relocation of these private structures. Then, there's some emphasis on the landowner to go ahead and act, to move the structures back out of what is public land, back onto a proper section of their property. The other way we're, in essence, saying to existing landowners, hey you've got 35 years, all you have to do is consider it, you don't have to act, you don't have to do anything.

"So I think the bill could be corrected, and I would hope that if the bill's sponsor agrees with this analysis, that the bill's sponsor would notify the Senate to take a look at page 3 and let's get some action in there so we achieve what we're trying to achieve. Thank you."

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

"Thank you, Mr. Speaker. In support. I think the Representative from Kailua makes a great point, I'd like to enter the comments from her as if they were my own," and the Chair "so ordered." (By reference only.)

Representative LoPresti continued, stating:

"My other additional concerns are, though I'm in support I do have concerns and I'll watch it closely, and maybe this is an unfounded concern, but if they get these easements, I would hope that the bill clearly states that

under no circumstances can they build sea walls to continue the preservation of those buildings, and instead they should be encouraged, not encouraged, but maybe perhaps required to move those. Then my other concern with it is, in essence, what we'll be doing, say at the end of the century, is we'll end up losing our beaches to wealthy people who own beachfront properties, and now the beach is their property, because they got a house, basically, or a structure right within that area.

"And so it's not an easy problem to deal with, I'm glad we're wrestling with it, but I think we all need to begin to imagine what that future's going to look like where we have extremely wealthy, sometimes extremely powerful people, who will begin to literally own our beaches with this kind of exemption. Thank you."

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

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

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Just little bit of a follow up. Mr. Speaker, people should also note, members should also note that the bill applies retroactively back to 2012. So we're taking a very serious step, we're going back retroactively to allow people to get an easement up until the year 2053, where they just simply have to consider alternatives. So I think we need to do better. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2653, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL SHORELINE ENCROACHMENT EASEMENTS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Thielen and Ward voting aye with reservations, and with Representatives Gates and Har voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1119-18) recommending that H.B. No. 2593, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2593, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

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

"Thank you, Mr. Speaker. I rise in reservations. I'm concerned about potential predation of our endangered native bird species. Thank you."

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

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

"Please register a no vote, with comments. Mr. Speaker, there are two national wildlife refuges in my district, the Kilauea Point Wildlife Refuge and the Hanalei Wildlife Refuge. Both are sanctuary for endangered birds and plants. Between 2012 and 2015, the Hanalei National Wildlife Refuge attributed the deaths of 252 endangered water birds to feral cats. These include the Hawaiian common gallinule, Hawaiian coot, Hawaiian stilt, Koloa duck, and Pacific golden-plover. Nesting birds are also at risk. Feral

cats are suspected in the death of 22 Laysan albatross chicks during a three-week period in 2015.

"According to the DLNR, cats are the only known reproductive hosts of the toxoplasmosis parasite. Toxoplasmosis reproduces in the feline digestive system, and a single cat can excrete 145 billion eggs per year in its feces. Once released into the environment, these eggs can infect other animals including humans, both on land and in the ocean. In Hawaii, NOAA has recorded at least eight endangered Hawaiian monk seal deaths that are attributable to toxoplasmosis infection. In humans, toxoplasmosis can result in severe damage to the unborn child, miscarriage, stillbirth, or substantial birth defects. It should be noted, Mr. Speaker, that spaying and neutering does not prevent cats from releasing toxoplasma cells into the environment. Once released, these eggs can live in the soil and water for months and even years.

"HB 2593 makes trap, neuter, return, a statewide policy. It does not make exceptions for culturally sensitive areas such as salt ponds in Hanapepe, it does not take into account sensitive seabird nesting areas, and does not avoid areas where our monk seals haul out. It does not recognize the one to three-mile roaming distance of feral cats. In fact, HB 2593 exempts registered caretakers from state and county ordinances that prohibit or tries to regulate feral cat colonies. Again, it exempts these caretakers from these laws.

"Our federal, state and county governments are doing many things to save our native birds. The County of Kauai has spent millions of dollars installing shielded lights at county parks, and pays the state government \$10,000 for every downed Newell's shearwater. For over four years, night football games were canceled to protect our birds from light disorientation during fledging season. Our Kauai Island Utility Company, cruise ships, resort properties along the coast, County of Kauai, are all working on habitat conservation plans and are implementing measures to reduce endangered bird takes on Kauai. Passage of HB 2593 will undo many of the efforts to address endangered birds on Kauai.

"Mr. Speaker, we all acknowledge the need to control feral cat colonies. Because this is a polarizing issue, we must bring together stakeholders to have the needed conversation on how to reduce feral cat populations. We need the humane societies, wildlife advocates, feral cat caretakers, federal, state and county governments, OHA, cultural practitioners, and aquatic resource managers at the table to find some common ground. I believe the common ground is that cat abandonment has to stop, because it perpetuates this vicious cycle.

"This is a difficult and complex discussion that will require professional facilitation to help build consensus and come up with future recommendations. The Feral Cat Task Force on Kauai generated solid recommendations that should be a starting point for statewide discussions. Mr. Speaker, this bill is premature and will have dire consequences for Hawaii's native birds and aquatic species, expose the State to liability under the Endangered Species Act, and negatively impact human health. Thank you."

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

"In strong opposition. First, I'd like the words of the previous speaker adopted as if they were my own," and the Chair "so ordered." (By reference only.)

Representative LoPresti continued, stating:

"Mr. Speaker, trap, neuter and release is not working in Hawaii, it's not working. These cat colonies and those who support these cat colonies are actually increasing the suffering of animals in Hawaii, they're increasing the suffering of cats, and they're certainly increasing the suffering of those species that these feral cats are decimating. They are decimating endemic species here. There is no shortage of cute kitty cats on the planet, there's none. But, and I love cats, I grew up with cats, but because they're so awesome, and I admire them because of their great hunting prowess, it's that which makes them so dangerous. It's that which means we need to check our own emotions about how much we like kitty cats, and set that aside so that we can protect those endemic native species in Hawaii, because they're

killing them. There's a lot more I'd like to say, and I'll just put it in written comments. This is a horrible bill."

Representative LoPresti's written remarks are as follows:

"Mr. Speaker, I stand in strong opposition to this measure. Invasive, free-roaming cats are among the most severe threats to our endangered native bird populations, and they transmit diseases like ringworm, pinkeye, parasitic worms, Lyme disease, and a toxic parasite *Toxoplasma gondii* which has killed sea otters, spinner dolphins, kangaroos, and even humans. Even when fed, cats continue to hunt ruthlessly, and our native species are running out of time. We cannot afford to let more species needlessly go extinct while we waste time and taxpayer resources to implement expensive, ineffective 'Trap-neuter-release' (TNR) programs on all the Hawaiian Islands.

"In over 30 years of practice around the world, there is not one scientifically verified instance of TNR ever eliminating a cat colony anywhere. Contrarily, multiple peer-reviewed scientific studies have deemed TNR programs 'ineffective' after a decade of study, and often show that cat colonies actually increase or stay the same, because the practice encourages 'dumping' of unwanted pets and attracts nearby strays. In essence, objective reporting shows that TNR is dangerous to both cats and other species alike.

"The situation is becoming dire for native species, who have no natural defenses to protect themselves from predation by invasive cats. More than half the state's 130 native bird species are gone, and most of those that remain have been listed as endangered. We openly, rightly, and unashamedly spend time, money, and resources to fight invasive species in these islands (eg. Albizia, frogs, ants, trees, weeds, etc.) but for some reason, cats—one of the MOST destructive species—are allowed to flourish, and special laws are proposed to unjustly excuse and protect a small number of individuals who encourage the growth and perpetuation of destructive feral cat colonies.

"Scientists everywhere agree that feral cats are a huge problem for biodiversity, but unlike global climate change, deforestation, or other complex threats to wildlife, the feral cat dilemma is actually a fairly easy problem to solve. We owe it to our native species to protect them from this imminent threat of extinction, instead of wasting time and money on costly, futile TNR programs that merely prolong the problem. Thank you, Mr. Speaker."

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

"Mr. Speaker, standing in support. So Mr. Speaker, I wasn't planning to stand, but I'll explain the nexus behind this bill. Again, I've been serving another community on behalf of the State of Hawaii, so I'm glad to be back. Mr. Speaker, the reason this bill was generated was at the request of non-profits who actually service many of the communities highlighted in previous testimony.

"Mr. Speaker, the system on currently dealing with feral cats is broken, it's only increasing. Mr. Speaker, it is not true to say that trap and neuter, return release programs are ineffective, it's how you implement it, Mr. Speaker. Currently, TNR programs are being used at the University of Hawaii, Manoa, Magic Island, Ala Moana Beach Park, Diamond Head Beach Park, and many other communities across the islands. Mr. Speaker, this program is successfully used on places like Disneyland and Stanford University. The reason for success is resulting in not only the program being implemented and the use of education to support those who feed these feral cats, but also on the counties and states that implement it.

"Mr. Speaker, currently, these feral cats are attacking indigenous native birds, but turning a blind eye to the problem is not a solution. Mr. Speaker, this bill was an attempt to try to bring people together to finally come up with a program that will address both sides of the problem. Not only the cats being left by former owners, but also by those who feed them. Mr. Speaker, if you talk with them, they understand it is an ongoing problem to have 300 cat colonies running through Central Oahu and other places. However, Mr. Speaker, for them it is a passion of theirs not to have these cats die from starvation. And Mr. Speaker, the last point I want to make in the rationale

behind this bill was that we are trying to address a problem that has been plaguing out state and city parks for decades. It's about time that we try to do something about it in a humane and constructive way, by looking at the implementation of a scientifically proven program called TNRs. Thank you."

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

"Mr. Speaker, I rise in opposition. I believe that one of our biggest jobs here is to prioritize. Do we prioritize feral cats over wildlife, endangered birds, which our state is protecting through state tax dollars? Feral cats are a huge problem that I think cannot be adequately addressed by a bill which essentially delegates that responsibility of feral cats to a private non-profit organization.

"This bill says that the State shall contract with a private non-profit organization which meets the following qualifications, and I won't read them all, but those qualifications are very suspiciously targeting a well-known existing group or groups within the islands. When that rescue organization is selected, that rescue organization then can exempt caretakers from current law. In other words, a non-profit organization has the power of exempting someone from statute, and then that registered caretaker of cats is not limited to the number of animals, not limited to the confinement of animals. So this is a very dangerous kind of delegation of authority.

"In addition, I think we should be mindful of the fact that once we delegate this authority, because of the shall language, this is a perpetual, long-term obligation that we will have to fund through state taxpayer dollars. And so for these reasons and many others, I oppose this bill. Thank you."

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

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

Representative DeCoite's written remarks are as follows:

"With reservations. As the DLNR pointed out, the feral cat problem is a major threat to both wildlife and humans in Hawaii. The cats are a major predator of native wildlife, including threatened or endangered species. A major problem DLNR pointed out with this bill is that any realistic approach to the feral cat problem must include euthanasia for animals that cannot be placed into homes or sanctuaries. A trap-sterilize-return (TNR) program would only increase the feral cat problem and exposes the State to potential lawsuits under the Endangered Species Act (ESA). The Department of Health opposed this bill and stated that the counties have ordinances that addressed the management of feral cats. Another concern was that this bill exempted caregivers from state law and county ordinances. For these reasons, I vote on this bill with reservations. *Mahalo.*"

Representative Har 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."

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

Representative LoPresti rose to respond, stating:

"Second time in opposition, I just wanted to correct some facts. You know, trap, neuter and release does work in certain parts of the mainland. It's scientifically not working here. I'm all for moving according to science. I also wanted to note that even PETA, the People for the Ethical Treatment of Animals, cite that feral cats trap, neuter and return is considered an inhumane approach for cats themselves. So even that organization that's radically in favor of protecting animals, sometimes even above humans, says

that these programs actually hurt cats. So if you care about it, you don't support it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FERAL CATS," passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Creagan, DeCoite, Gates, Har, Keohokalole, Matsumoto, Tupola and Ward voting aye with reservations, and with Representatives Choy, Cullen, Evans, Hashem, Holt, Kobayashi, Learmont, LoPresti, Nakamura, Ohno and Takayama voting no.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1120-18) recommending that H.B. No. 2072, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2072, HD 2 pass Third Reading, seconded by Representative Morikawa.

Representative Keohokalole 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 opposition to the measure, stating:

"Thank you, Mr. Speaker. Unfortunately, I can't support this bill right now, and I'd just like to publicly explain why, because I don't want people to think that I'm not opposed to cruelty against animals. And quite the opposite, I have a conflict of interest, actually, I have to share with the members if I may, that I own a dog."

The Chair addressed Representative McKelvey, stating:

"There's no conflict."

Representative McKelvey continued, stating:

"Thank you so much. My concern with this measure, like so many other dog owners around here and dog lovers, is that while very well intended, the current version has a lot of problems, a lot of problems. It basically, what worries me about this measure is that it's criminalizing behavior under very subjective enforcement regimes, and things that regular dog owners do, dog trainers do, according to this bill, could now subject somebody to an animal cruelty charge, and any criminal charge warrants going to the criminal court system, getting a defense attorney. And a charge of animal cruelty also carries a lot of social stigma with it, too.

"So when I read the measure, and looking at some of the restraints on tethers, trolley wheel systems, 10 feet of leash or less. I could easily construe situations whereby innocent dog owners, especially those going to work, or perhaps in different parts of the house, or doing training or other things could be exposed to criminal liability.

"And so while I do not support animal cruelty, obviously, in any way, shape or form, as a dog lover my concern is that, with so many other things, the road to hell is sometimes paved with good intentions. And I think a lot of good dog owners, because of the way the statute is written, could find themselves being charged with a very serious offense, which ironically, they would never want to be associated with in any way, shape or form. Thank you."

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

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

"Thank you, Mr. Speaker. I stand in support. Thank you, Mr. Speaker. There's a lot of vulnerable children and adults, and now we're talking about vulnerable dogs. This bill has been around for several years, we're trying to get it right. It's with good intention, the intention being, there is the right way and the wrong to tether and chain dogs. If you saw what happened here, what, last week or the week before, it was on the television and the paper

about someone who had chained a dog and the chain grew into its neck, and it was just horrible. The dog could not eat, it was really a nasty situation.

"And the intent of this is, we know people are going to chain and tether, but there is the right way and the wrong way, and the best analogy that I can have is, here, years ago, we decided that you're supposed to seat belt your children in a car, but we all know that if you don't have booster seats and if you don't do it the right way, you could actually harm that child.

"I think that's what the intent of this bill is, is we know you're going to do it, but there's a right way and a wrong way. Because, inadvertently, you could actually harm the dog, and what will happen is, is what they've discovered in studies, is that if you really hurt a dog like that, leave them improperly on a chain all day long when you're gone, they end up turning into being barkers, potentially, they end up being biters, they're angry, they're upset, and it turns them. It's a behavioral thing. So I encourage us to keep it moving, and if there's some concerns, to keep working on it and try to make it right. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2072, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SECTION 711-1109, HAWAII REVISED STATUTES," passed Third Reading by a vote of 48 ayes to 3 noes, with Representative Keohokalole voting aye with reservations, and with Representatives Gates, McKelvey and San Buenaventura voting no.

Representative Nishimoto, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 1122-18) recommending that H.B. No. 2215, as amended in HD 1, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2215, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1128-18) recommending that H.B. No. 2641, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2641, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1130-18) recommending that H.B. No. 1828, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 1828, HD 3 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you very much, Mr. Speaker. I would speak with very, very strong reservations in as much as it's going into the Senate and going to come back into conference, possibly, so it's a long way, but my concern with this, again, has to do with the share of the counties and the tourist tax, tourist accommodation tax. I would prefer that this money be used for mitigation of tourism, is very general and probably impossible to make it operable. How do you measure mitigation? How do you measure how much a county gets? Honolulu County, which is the largest, Oahu county, which is the largest, we could use that in a couple hours.

"So it's very difficult, and I understand you want to give some money back to the respective counties, but this is not the way to do it. The way to do it as an, also in 2605 also is to provide to increase the share of the tourist accommodation tax and to make it permanent with an increase every year, so they can take care of their own. We don't have to worry about the county, we got enough things to do on the State without telling the counties what to do.

"So with this measure, I would hope that as we go along, we look a little more closely, I know the intent is good, but I believe, again, it's wrong. We should be giving it to the counties and let them do with the dollars as they see fit. Thank you very much."

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

"Mr. Speaker, I rise in support with a slight reservation. My concern has to do with the following language. Initiatives that mitigate negative impacts on communities caused by tourist activity. The idea of this bill is that perhaps as much as \$10 million, per the original drafts of this bill, might be spent to mitigate negative impacts, but negative impacts are not defined. Now, tourism causes all kinds of negative impacts, and the prioritization of these negative impacts could very well decide how \$10 million might be spent.

"For instance, would you want to mitigate the negative impacts of transient accommodations, short-term transient accommodations, like Airbnb or crime in tourist areas, or environmental quality, or beach safety, or homeless in tourist areas and other places? All those choices are left up to an agency who is named, the Hawaii Lodging and Tourism Association. I think that unless we further define negative impacts, some of this \$10,000 in taxpayer money will be spent on things that perhaps some people in the community would not like to see. I would like to see concern placed on negative impacts that are of widespread concern.

"I would note that tourism has grown so big that it has negative impacts that we did not originally contemplate, for instance, environmental quality. The Office of Environmental Quality Control was of such concern back in the '70s, during the Governor Burns administration, that OEQC, Office of Environmental Quality Control, was actually in the Governor's Office, and that had to do with Governor Burns's concerns about the growth of tourism and what he called the necessity for quality control policies, quality control policies. And the idea there was that we wanted tourism, but we wanted quality tourism, and we wanted tourism that did not impact, negatively, our communities. So for these reasons, I have some concerns and I hope that the term 'negative impacts' can be further defined later. Thank you."

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

"With reservations, Mr. Speaker. Some interesting concerns raised by the previous speakers. My concern is quite different, and I've mentioned it before. My concern is about setting a precedent that we will continually have to mitigate and fight back against, of creating a nexus between the TAT and tourism impacts. So we're creating a nexus where it didn't exist before, and to quote my colleague in front of me, that creates a very slippery slope that endangers tax dollars for the State. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1828, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 50 ayes to 1 no, with Representatives Har, Kobayashi, LoPresti, Souki and Tokioka voting aye with reservations, and with Representative Say voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1131-18) recommending that H.B. No. 2010, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2010, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I am with reservations on 1131 because of forgiving the loan, the debt."

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

"Mr. Speaker, I rise in mild support. It's mild support because it's a good bill, but it needs to be made known in the record that this bill is wiping off the books \$191 million, which some of us on this floor voted for years ago, because it was a quick payback of a location was the best thing since sliced bread, and it's been very disappointing, Mr. Speaker. So I wanted to go on record that this is \$191 million for the mortgage of which they otherwise said they were going to pay off very quickly. Now it's, what, 27 years later and we still owe \$191 million, and we're erasing it.

"My point is, to make known for the record, that we're erasing it, but to say what is at least good on the horizon, they've almost broken even, in fact, got a very small, how would you say, in the black this last year, but they still haven't, because of the past years, been able to pay it off. And, let's be very honest about it, other funds, other departments needed the funds, and instead of paying off the mortgage, they ended up using the Convention Center's funds. For those reasons, Mr. Speaker, I feel very mildly about this bill. Thank you."

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

"With reservations, same concern as my previous two colleagues. It's a huge amount of debt to forgive. Obviously, we don't want it to continue. However, we have priorities, we have other things that we've talked about in this body about things that we need to prioritize. So the reservation is the \$191 million of forgiveness of debt, with no clear plan of how we should have mitigated that and come at it. So those are my reservations. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2010, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOURISM," passed Third Reading by a vote of 50 ayes to 1 no, with Representatives Matsumoto, Thielen and Tupola voting aye with reservations, and with Representative Say voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1132-18) recommending that H.B. No. 2605, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2605, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. Strong opposition to Standing Committee Report 1132, House Bill 2605, relating to transient accommodations, and if I may say a few words, please. Thank you. Mr. Speaker, the bill originally had a one, I'm talking about Oahu, by the way, neighbor islands have different setups, and neighbor islands seem to have really done a pretty good job with their transient vacationers, Oahu has not. It's been abysmal. And this bill had a \$1 million incentive in it to begin with for the County of Oahu. It's been, I guess, lined out, and now it's a blank incentive, but if the bill makes it to final reading, there will be a monetary incentive for the County of Oahu to create fast track special use permits for short-term vacation rentals, and these are the ones that are tearing apart our communities.

"A special use permit would grant exemptions from the existing residential zoning code, and it would mean that thousands of short-term vacation rental units could be allowed to operate inside residential zoning areas, areas that, up till now, have been reserved for our homes, our schools, and community parks.

"And then, in addition to the special use permits, the SUPs, the bill mandates the County of Oahu to set up a contested case process for any person who wants to have an SUP and is denied that. So then they're going to get a contested case. Number one, they're going to get to apply for the SUP. Number two, if they're denied, they get to apply and be granted a contested case proceeding.

"A 2016 study by SMS found that vacation rental units exacerbate the affordable housing problem by reducing our housing stock and driving up rents. And then in 2016, University of Hawaii's UHERO said, there're roughly 17,000 individually advertised units in Hawaii. Those are only the advertised ones, but we're talking 17,000. And another consulting firm, JLL, estimates if we don't do something to stop them, the number of vacation rentals in Hawaii are slated to grow by 3% every year.

"Mr. Speaker, 80% of these are owned by people that live outside of Hawaii. These are not local owners, 80% owned by people that live outside of Hawaii. And every new vacation rental is a home that your family, your children, my grandchildren won't be able to live in, because they're going to be churned on a short-term basis at this much higher revenue stream that these 80% owners, out-of-state owners, are benefitting from, and harming our local communities.

"The City and County has continually told us that they're unable to enforce the law for the few legal short-term rental units they already have, and I'd like to say loudly and clearly, the City has proven themselves incompetent and unwilling to enforce the ordinances that they already have on the books. How do we think this bill will cause them to be any different? It won't. What the bill will do is, the City will say, gee we have to grant special use permits, SUPs, and the City will then go ahead and be inundated with contested case requests, because they've denied some of those SUPs, and then the City will cave and say, we don't have the person power to be able to handle this, so we're going to grant all of these. This is 80% out-of-state owners. My grandchildren won't be able to find a place to rent, other members' children or grandchildren won't be able to find a place to rent."

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

Representative Thielen continued, stating:

"Thank you. And we're going to be faced with the situation where the majority of people in our state won't be people who reside in our neighborhoods. I've told you before, Mr. Speaker. When I go door to door, I can tell which streets, which beachside streets in Kailua, are just vacation renters. They're dead, or else they're loaded with beach equipment, *et cetera*, but there's no neighborhood left. No one looking out for another neighbor. And the owners? There's a lockbox there, the owners aren't around. They're somewhere in New York, maybe even overseas. So what we're doing with this bill, it may have been well intentioned, but it's devastating because it incentivizes City and County, an entity that can't handle things anyway, they're just inept at handling what's going on now.

"There're two places in Kailua, Mr. Speaker, that have been featured on television that have a half a million dollars in fines, and they've been operating for 4 to 5 years, and the City hasn't even been able to shut them down or collect the money. They come to us for rail money, tell them to collect their fines that they have from the illegal operators, operating these Airbnb type of operations.

"So we're saying to the City, here's your incentive, you get more money, don't use it for rail, use it to set up a special use permit process, and then a contested case process. And when you plow through the money, because of the thousands of people that are operating illegally that are demanding to be having a legal permit, when you plow through that money and then you end up granting them all, what are we left with? Shells of former residential areas, places that none of us can call home, and then we say to our kids, sorry you can't afford to live here, because those places are owned by people that don't live in Hawaii, and they're not going to be available to you, to set up your family and live in Hawaii.

"It's something that, in my belief, is a wrong and devastatingly wrong policy. I'm sorry to see this bill reach third reading. I hope we never see it

on final reading, Mr. Speaker. Let's keep our homes for our local people. This bill does exactly the opposite for Oahu. Thank you."

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

"Second time, I'll be brief. Just a couple points I want to make. On the North Shore, last time we counted, and this is probably a low number, there are over 2,000 vacation rentals listed on Airbnb, VRBO. Last time I did a district-wide mailer, that was 9,000 postal addresses. So you do the math on that. Another point I wanted to make is that we live in an era of cheap financing. The world is awash with capital, like a butterfly searching for its mate, and Oahu is the biggest, most beautiful butterfly out there. Thank you."

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

"Thank you, in opposition. Same, I represent the North Shore and our communities are overrun with illegal vacation rentals. It's turning our communities into resort areas, and it's a big problem, and I think we really need to look carefully at this bill as it moves through, and I would just like permission to insert further comments."

Representative Matsumoto's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in opposition. My fear is that this bill, although it attempts to address the pervasive issue of illegal vacation rentals, may potentially increase the number of illegal vacation rentals, or transient vacation units (TVUs), when counties already have a hard time regulating illegal TVUs.

"Currently, our communities are being overrun by illegal vacation rentals, which are turning our local communities essentially into resort areas. I am very much against these illegal vacation units transforming our communities beyond recognition and pushing out our local residents.

"These illegal vacation rentals are also removing housing options from our residents. In 2016, the Hawaii Tourism Authority found that 70% of properties listed as vacation rentals in Hawaii are owned by out-of-state property owners. By legitimizing these illegal vacation rentals, this bill is incentivizing homeowners to create more vacation rentals, as opposed to creating housing options for our local residents.

"If we do not address the continued proliferation of illegal vacation rentals, we will continue to see a drastic rise in rental housing costs. This is simply not an option for our residents, who are already struggling with our residential rental market.

"I believe that we need better enforcement of these illegal vacation rentals. The Department of Planning and Permitting (DPP) already does not enforce or address this issue affecting so many of our communities. However, just blindly throwing funds towards enforcement efforts may continue to fail to bring us results and does not directly address the issue of illegal vacation rentals.

"Furthermore, I am opposed to the way this bill expedites the permitting process for illegal rentals. By requiring the counties to establish processes to expediently issue special use permits, and to establish an expedited process for addressing appeals of denied special use permits, this bill is essentially creating a process to quickly legalize these illegal vacation rentals. This bill is legalizing and legitimizing these rentals that we don't want taking over our communities in the first place.

"I think we need to re-evaluate our approach to reducing the negative impacts of these illegal vacation rentals, but expediting the process to legalize and legitimize these rentals is not the solution. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2605, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," passed Third Reading by a vote of 43 ayes to 8 noes, with Representative Har voting aye with reservations, and with Representatives Ing, Matsumoto, Quinlan, Say, Souki, Thielen, Tupola and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1133-18) recommending that H.B. No. 2471, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2471, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, in support, Mr. Speaker. I just, because this is the first time this issue has come to this body, at least to my knowledge, I did want to say just a few words. The issue this bill tries to address is something which is being discussed worldwide right now in gambling commissions, in countries in Europe, in Asia, and so forth, and including right here in the United States. The issue deals with the expansion of predatory and exploitive mechanisms in video games, which specifically target kids, which are unregulated, and which are having extreme and adverse consequences, so much so that the UK Gambling Commission recently found that 11% of all 11 to 16-year-olds in that country have been actively betting and cashing out these kinds of online products through these kinds of mechanisms in video games.

"The Gambling Commission in the State of Washington recently ordered the shutdown of sites which helped promote this sort of thing and enable people, including youth, to be able to gamble and cash out these sorts of online items.

"The concern is not whether, ultimately, we as elected officials or bodies, whether regulatory, statutory, or any of the sort around the country define these kinds of in-game gambling-like mechanisms as legitimate gambling. The industry tends to say that because some of these mechanisms tend to give out something, even if it's nearly worthless, because of that, the money that people are spending and committing and gambling on, means that this isn't technically gambling. But by that definition, Mr. Speaker, if we were to walk in and place \$1,000 on a roulette wheel in Vegas, and we were to get even a penny back from the casino, we would then exempt the entire organization from the definition of gambling, which is just silly.

"No, Mr. Speaker, the concern here is about ultimately the outcomes that we're seeing, concerns with cognitive development, with growing addiction, particularly among youth, and ultimately the financial harm which has befallen thousands or tens of thousands of families around the country, and right here in Hawaii, many of whom we've recently heard from.

"A recent study here in the United States found that about 90% of all kids between 8 and 18 play video games, and I think by and large that's reflected in society and in our families, and it's everywhere, on your phone, on your PCs, on Xboxes and PlayStations. But what's concerning is that another study done just recently found that, of all those kids, of that 90% that play games, 9% of those kids age 8 to 18, of everybody, were found to exhibit multiple signs of behavioral addiction, which the addition and proliferation of these kinds of gambling mechanisms throughout the video game industry is certainly compounding.

"The American Psychological Association, the World Health Organization, local psychologists, child psychologists, pediatric mental health experts and others have all raised red flags about the growing impact that we're starting to see with this issue, and numerous colleagues in states around the country are currently starting the same debate in their own chambers. But what's really important to note is that this falls to us because the industry has failed to self-regulate and failed to take action to avert the kinds of consequences and impacts that we're seeing today.

"Parents today have no ability to meaningfully protect their kids, because there is no disclosure in any of these games that these kinds of mechanisms are included. There is no distinguishing being able to buy something in a

game from the kinds of addictive, exploitive and predatory mechanisms, which any game could present. There's no way to know, and that has to change.

"So, Mr. Speaker, this bill establishes a group to start monitoring the situation, and in the future, make recommendations. It is absolutely the least that we can do to start to address the situation, which some mental health experts have already compared in scale and scope to the opioid crisis, except that while it does affect many adults, in this case a huge majority of them are our kids. Thank you very much."

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

"Thank you, Mr. Speaker. On this and the next measure, I'm just going to take it as one, if I may, just cause it's a thematic thing. I have reservations on these measures. I appreciate what the author is trying to do with this bill. You know what, you're right, the video game industry has not self-regulated, despite promises to do so. There has become a wild wild west with developers, but like so many of my concerns on other measures today, it's not with the public policy aim, it's with how it's trying to get there. I mean, I'm sorry, but I just can't see how video games and opioids are in the same category, Mr. Speaker. If we're going to do that, if they're that dangerous, we should ban all video games in the State of Hawaii. I guess all of us who have them on our phone, and there's many people here, both in the Chamber and elsewhere, who do.

"We need to protect our kids, but at the end of the day, these devices allow parents to do exactly that, to protect their kids. And I think that to say that video games in and of themselves are automatically gambling opens up a huge Pandora's box. And again, it's criminalizing behavior, it's a criminal offense. It could not have the intended consequences, and I think also what it does is, it opens up the door for other activities, baseball cards, for instance. Baseball cards would be considered gambling. You'd get a pack of cards, you don't know what cards are in there, but you know you're going to get something. It may not be a Barry Bonds, but you know you're going to get players.

"So we do need to hold the video game industry accountable, and I agree with the author of that, I see where he's going with this measure. And the public policy aim of trying to make sure they disclose openly to parents and consumers that they're not being used in ways to entice people to go down the road of gambling, I support him on that. I just worry that it's overreaching on behalf of the State, and I also worry that it's taking a huge leap into an area of gambling that may not necessarily exist. There may be other ways to get to this aim of trying to protect our kids and inform consumers without criminalizing inadvertent behavior. So those are my only concerns, and comments to the Journal, if I may. Thank you, appreciate it."

Representative McKelvey's written remarks are as follows:

"I have reservations on these measures and would like to reference my comments previously submitted on the 20th Legislative Day, February 16, 2018 on Stand. Com. Rep. No. 755-18, H.B. No. 2727, HD 1, and Stand. Com. Rep. No. 754-18, H.B. No. 2471, HD 1."

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

"Thank you, Mr. Speaker. In opposition. If I may have the words of the previous speaker entered into the Journal as if they were my own. And just to note some of the testimony from the Office of Consumer Protection, some of the things that they regulate are mortgage rescue fraud, data breaches, gift certificates, refunds and exchanges, complex litigation involving alleged unfair or deceptive marketing practices by pharmaceutical companies, and motor vehicle manufacturers, and now we want to add video games. Thank you," and the Chair "so ordered." (By reference only.)

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

"With reservations on both measures, this and the other one as previously stated by the speaker from Maui, brief comment. If I could have the words

of the Representative from Maui inserted as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Tupola continued, stating:

"And I think as a parent of children and of nieces and nephews, I would say that there is a mechanism for parents. Check your kids, look at what they're doing, watch them as they play the games, put on the parental controls, open their phone, make sure that you have that on.

"So again, the overreach of the State is that we feel like, of course, of course we're against gambling, we don't want addictive behaviors, we don't want this starting young, but also, there is a part to play on the parents' role of making sure that you're a part of it, it didn't accidentally happen to you. You let it happen because you didn't check, you're a parent, you're supposed to do that. And so I feel like it's a good intent to start to push that way, but again, with a board and commission, which it's going to establish a commission, and two of the members are going to have regular and broad experience playing mobile digital games, that could be anybody. That could be my nephew, that could be my niece, and he's pretty good, he's five years old and he can kill it, I mean he's good.

"But again, when we talk about the root of the issue and regulating something that's not in our state, so we're trying to regulate an industry that's not here, they don't produce their video games here, then we really are reaching into a round that I think needs further discussion, definitely advocacy. Let's make sure to get out there that all parents know that we should be aware of gambling mechanisms in video games and on our phones, but that we should encourage parents to play that role in their kids life, to be more aware and more involved. Thank you."

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

"Thank you, Mr. Speaker. With reservations, Mr. Speaker. In the committee, I voted no, and I've learned more about it since that time. But I would like to adopt the words from the Representative from District 29 as if they were my own, because they include the words from the Representative from Lahaina, and as well as the Representative from Nanakuli, because it is up to parents to make sure that their kids don't have their credit card on the machines and don't have the access to buying the things that the parents don't want them to buy. Thank you very much, Mr. Speaker," and the Chair "so ordered." (By reference only.)

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

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

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

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

"In support, Mr. Speaker, both measures. I'm not sure necessarily that it would be a good thing for either of these two measures to actually pass and become law, although I am in support of both of them. However, I think it does send a very strong signal to the industry that it is time to self-regulate, and for that reason, I am in support. Thank you."

Representative Ohno 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 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."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2471, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives DeCoite, Har, Ito, McKelvey, Ohno, Onishi, Say, Tokioka and Tupola voting aye with reservations, and with Representatives Gates and Holt voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 1134-18) recommending that H.B. No. 2727, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2727, HD 1 pass Third Reading, seconded by Representative Morikawa.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered." [Note: See Stand. Com. Rep. No. 1133-18, H.B. No. 2471, HD 1, for further remarks.]

Representative Tupola rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered." [Note: See Stand. Com. Rep. No. 1133-18, H.B. No. 2471, HD 1, for further remarks.]

Representative Quinlan rose in support of the measure. [Note: See Stand. Com. Rep. No. 1133-18, H.B. No. 2471, HD 1, for further remarks.]

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2727, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 51 ayes, with Representatives DeCoite, Har, Ito, McKelvey, Ohno, Onishi, Say, Tokioka and Tupola voting aye with reservations.

At 11:18 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2617, HD 2
 H.B. No. 2454, HD 1
 H.B. No. 1676, HD 2
 H.B. No. 2014, HD 2
 H.B. No. 2724, HD 1
 H.B. No. 2176, HD 2
 H.B. No. 2653, HD 1
 H.B. No. 2593, HD 1
 H.B. No. 2072, HD 2
 H.B. No. 2215, HD 1
 H.B. No. 2641, HD 2
 H.B. No. 1828, HD 3
 H.B. No. 2010, HD 1

H.B. No. 2605, HD 2
 H.B. No. 2471, HD 1
 H.B. No. 2727, HD 1

At 11:18 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:32 o'clock a.m.

THIRD READING

H.B. No. 2588, HD 1:

Representative Belatti moved that H.B. No. 2588, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In support. I wanted to thank the introducer and, of course, share my gratitude for putting forth a measure that's actually been talked about a lot in our community. So this is highlighting something that happened to one of my own constituents, and so I wanted to be real clear that I feel that it's so appropriate for it to be named after this family, because they've extended their reach to many other families that have had the same incident happen. Even within the last year, it's happened over and over and over again.

"And so we just wanted to show my gratitude because the Werner family has been in pain not being able to see somebody who afflicted so much pain to their family not have any jail time. And so, of course that's their intent, is that there be a mandatory prison sentence for people who fail to render aid in the event of negligent homicide. And of course, recently, they've also extended their hand to the Kahoolihala family, who had the same incident happen, and then recently to Jonah Ragsdale and Daniel Mole, who his funeral is in two weeks on Saturday, as well.

"And so even though it's brought our community a lot of hurt, it's also brought us all together to be more aware, to be more mindful. And then for families who this has happened to, to extend an arm of support, because some of these families have no idea what to do, they have no idea what to feel, they're having problems with the Prosecutor's Office, they still have no type of closure of what happened.

"So I'm grateful to see this addressed, and of course I'm very grateful for the introducer, and grateful that my community members were able to come forward and work together with organizations who curb driving under the influence to address this issue. Thank you."

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

"In strong support, permission to enter written comments into the Journal and make brief comments now. I would like to also thank the introducer and the committees for passing this bill out. As many of you may know, we had an incident in my district recently where two lives were taken. And this bill will send a loud message to the community that drinking and driving is not acceptable, and that taking the life of another will be met with severe punishment. So, with that, I would like to insert written comments to continue. *Mahalo.*"

Representative Gates's written remarks are as follows:

"On April 24th, 2016, Kaulana Werner's life was tragically ended in front of his family home when he was struck by a drunk driver in Nānākuli. The driver fled the scene, showing no remorse and a callous heart. Kaulana was 19 years old and was said to bring joy to all that encountered him. The driver is still free and any punishment she is likely to face will hardly provide solace to the survivors.

"This past President's Day weekend, the Wai'anae community lost two young residents that were loved by many to a hit and run incident in Mākaha. My heartfelt condolences go out to the Ragsdale and Mole *'ohana* for their tragic loss of Jonah and Daniel.

"The Werner, Ragsdale and Mole families deserve better. Our community deserves better. We demand safe streets for our residents and punishments that not only fit the crime, but serve to deter future criminals.

"On this almost second anniversary of the death of Kaulana Werner, let us honor these victims and their families by passing House Bill 2588, offered by the Werner family. This measure will increase the maximum prison sentence for any felony that results in the death or serious injury of another while acting with reckless disregard for others' safety. This bill will help bring justice to community members who have lost loved ones through hit and run incidents and serve as a warning to others by showing that harsh consequences do exist when the life of another is taken so needlessly. *Mahalo.*"

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

The motion was put to vote by the Chair and carried, H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXTENDED TERMS OF IMPRISONMENT," passed Third Reading by a vote of 51 ayes, with Representative Lowen voting aye with reservations.

H.B. No. 2074, HD 1:

Representative Belatti moved that H.B. No. 2074, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

Representative Takayama's written remarks are as follows:

"Mr. Speaker, I rise in support, with reservations, of H.B. 2074, HD 1, which proposes to increase sentences for offenders convicted of committing property crimes against nonprofit organizations.

"I believe in punishing those who commit crimes, but our system of criminal justice must be fair. In this case, I have reservations about the fairness of arbitrarily elevating penalties for property crimes against nonprofits. Nowhere in the bill nor in the testimony has there been any reason given for the need to implement this new sentencing category.

"There already exist criminal sanctions for theft, embezzlement, and other offenses against nonprofits, just like those against any other business.

"Mr. Speaker, this measure unfortunately opens the door to seeking enhanced sentencing for every other category of entity that is the victim of crime. We should not allow emotional anger over a single incident to determine our sentencing laws, because that does not lead to a fair criminal justice system.

"For these reasons, I have reservations over the wisdom of passing H.B. 2074, HD 1."

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

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

"Mr. Speaker and members, I wish to vote no on this measure. I did not submit a slip, but I will. Anyway, I've always been opposed to extended sentences, I believe in rehabilitation, and a lot of times there are circumstances that we don't see when there is such a situation as ugly as it is, but there may be certain situations, and we certainly don't want to see anyone, especially our family, get caught in a situation where they be in for an extended time. I think everybody eventually will come out, and we will prefer they come out of prison well and sooner than later. Thank you."

Representative LoPresti 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 Lowen rose and asked that the Clerk record an aye vote with reservations for her, 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 McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations and just a brief note. My concern is creating different kinds of criminal liability based upon one's tax status. Thank you very much."

The motion was put to vote by the Chair and carried, H.B. No. 2074, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PROPERTY RIGHTS," passed Third Reading by a vote of 50 ayes to 1 no, with Representatives Ing, LoPresti, Lowen, McKelvey, San Buenaventura, Takayama and Tupola voting aye with reservations, and with Representative Souki voting no.

H.B. No. 2739, HD 1:

Representative Belatti moved that H.B. No. 2739, HD 1 pass Third Reading, seconded by Representative Morikawa.

At this time, Representative Tupola offered Floor Amendment No. 2, amending H.B. No. 2739, HD 1, as follows:

SECTION 1. Providers. House Bill No. 2739, H.D. 1, is amended with regard to health care providers by amending section 3 of the bill as follows:

1. To ensure that a rigorous psychological screening for mental health issues occurs, and to better align with proven policy in other states like Oregon, amending the definitions of "capable" and "counseling" to strike references to clinical social workers;
2. To ensure that all health care providers involved in this process meet the high professional standards required for medical treatment by the State of Hawaii, amending the definition of "health care provider" to clarify that the person must be licensed or certified by the law of this State;
3. To ensure that health care providers are given a clear standard for what is required to fully inform a patient of the relevant facts, amending the definition of "informed decision" to clarify that the phrase "informed consent" is synonymous;
4. To ensure that patients receive the best possible medical advice regarding their full range of end-of-life options, including palliative care, on pages 11 and 14, adding a requirement that the attending provider refer the patient to a physician specializing in palliative care for a consultation regarding alternative options;
5. To ensure that health care providers retain the right to conscientiously object to this process and to decline to participate in any part of it, on pages 23 and 24, following the recommendations of the Department of the Attorney General by clarifying that health care providers are not required to inform a patient about the option to obtain life-ending medication or refer a qualified patient to another provider if they are unable or unwilling to participate; and
6. To ensure that life-saving professionals are not inadvertently punished for doing their jobs, on page 24, providing that emergency medical services and nursing care providers shall not be subject to civil or criminal liability for unknowingly rendering medical assistance to a qualified patient who has self-administered the prescribed medication to end the patient's life.

SECTION 2. Patients. House Bill No. 2739, H.D. 1, is amended with regard to patients by amending section 3 of the bill as follows:

1. To ensure that teenagers cannot access life-ending medication at an earlier age than society entrusts them with the decision to use alcohol or tobacco, amending the definition of "adult" to raise the age requirement from eighteen to twenty-one years of age or older;
2. To ensure this does not legalize "euthanasia", amending the definition of "prescription" to clarify that the qualified patient must either self-administer, if the patient chooses to do so, or otherwise dispose of the medication properly;
3. To ensure that manageable diseases or conditions do not qualify, amending the definition of "terminal disease" to clarify that the disease must be one that will, within reasonable medical judgment, produce death within six months even with reasonable and ordinary medical treatment; and
4. To ensure that qualified patients are truly residents of the State of Hawaii, on page 17, deleting "evidence that the patient owns or leases property in Hawaii" as a factor that may demonstrate state residency.

SECTION 3. Enforcement. House Bill No. 2739, H.D. 1, is amended with regard to enforcement of the law by amending sections 3 and 12 of the bill as follows:

1. To ensure accurate medical records, on page 13, restoring the requirement that both the terminal disease and self-administration of the medication shall be listed on the death certificate as the immediate causes of death;
2. To ensure that malpractice is discovered and punished if it occurs, on pages 18 and 19, deleting language that would limit the disclosure of information in criminal and civil malpractice proceedings;
3. To protect minors and the general public from accidental ingestion of lethal drugs, on page 20, following the suggestion of the Department of the Attorney General by requiring the Department of Health to make rules to govern lawful means of disposal of unused medication, and inserting an unspecified felony criminal penalty for failure to lawfully dispose of unused medication;
4. Because the term "good faith" is not an objective standard that would allow for clear-cut and consistent prosecution of wrongdoers, on pages 22 through 24, following the recommendations of the Department of the Attorney General by deleting each instance of the term "good faith"; and
5. To ensure that the law will be revisited by a future legislature for the implementation of any improvements shown by experience to be necessary or desirable, on page 39, adding a sunset provision that will repeal the Act after three years, on December 31, 2021.

SECTION 4. House Bill No. 2739, H.D. 1 is amended by, in section 3 of the bill, making conforming technical amendments and renumbering sections of the bill accordingly.

Representative Tupola moved that Floor Amendment No. 2 be adopted, seconded by Representative McDermott.

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

"Thank you, Mr. Speaker. Everyone has the copy of the amendments, and I'm just going to highlight additional portions that were added. As we left the floor last week, we, of course, continued conversations with people on both sides of the issue to make sure that we incorporated and heard out all the parts of the testimony. So I organized it a little bit better, it has a section for providers, section for patients, and a section for enforcement, so that it's easier to explain through it. So I'll just highlight the parts that were newly added.

"So under providers, now again, we're talking about safeguards for providers that were brought up in testimony, as well as from doctors, as well as from people that were actually proponents of the bill from Oregon that

were guiding us along. So number one, it says, to ensure a rigorous psychological screening for mental health issue occurs, and to better align with the proven policy in other states like Oregon, amending the definitions of 'capable' and 'counseling' to strike references to clinical social workers.

"So right now, it actually says, psychiatrists, psychologists, and clinical social workers. And it's nothing against clinical social workers, because we actually have a great clinical social worker member in our body that does amazing things for many communities, but this is just to make sure that the counseling reference is only for doctors and psychologists as written in the same Oregon law, that they didn't allow clinical social workers.

"We also added number four, and in number four it's basically, the chair did a great thing by saying to mandatorily have the capability or a psych eval before somebody is allowed to proceed. But also, we're suggesting a number four, to mandatorily allow or put there, for the patients, a consultation with a palliative care specialist, so that nobody feels like this is their only option, but yet one of other options they can consider.

"The last one under providers that's new is under number six. And this one was brought up to me and actually got lots of calls from EMT, nurses, saying that they didn't want to be held liable if they didn't know that somebody was actually in process of applying the act. So in number six it says, to ensure that life-saving professionals are not inadvertently punished for doing their jobs, on page 24, providing that emergency medical services and nursing care providers shall not be subject to civil or criminal liability for unknowingly rendering medical assistance to qualified patients who has self-administered the prescribed medication to end the patient's life.

"This is a really sensitive subject for a lot of the nurses who came forward, as well as EMT, because there's no 'no resuscitate' band that you'll have on your wrist. They wouldn't know, upon arriving on scene, whether or not they would be interfering with the act. So it was suggested in the hearing, and now it's written in this amendment, offered so that people can consider it.

"Secondly, under patients, the four parts of patients are all similar to what I had expressed on second reading. I just want to emphasize number four. To ensure that qualified patients are truly residents of the State of Hawaii, on page 17, deleting 'evidence that the patient owns or leases property in Hawaii' should not be part of a residency requirement. We just went through a long discussion about Airbnbs and how 80% of them are owned by people who are not from this state, so we want to make sure that this only applies to residents. So striking out those references would make sure that we're not opening the door for people to come vacation out here or come out here and own property and then apply the act, because they wouldn't be residents.

"Lastly, on enforcement, I just wanted to highlight number three. So, of course, I've read through one, two, three, four, five last week, as far as the suggestions from the Attorney General, and these are ones that we should take very seriously, because these are the ones that are going to make it possible to enforce malpractice, to enforce whether or not people are bringing back the medication.

"In the opioid crisis, when people talk about abuse and that doctors are overprescribing, they always allude to the fact that there is no budget and there is no means or funding for compliance. So we can't force people to comply if there's not a law, or if there's not a mechanism to enforce or aid, fund, compliance officers. So in number three it says, to protect minors and the general public from accidental ingestion of lethal drugs, the following suggestion is that the Department of Health, with the Attorney General, make rules to govern the lawful means of disposal of unused medication, and inserting an unspecified felony criminal penalty. And again, this is a suggestion by the Attorney General that there be a penalty so that there is a way for us to enforce that.

"And so in this section, I just wanted to highlight that this part is so important for us to consider, when we know that there's going to be medication there, maybe a lot of it, we're not even sure how many pills it would take, actually, for somebody to be able to actually apply this act."

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

Representative Tupola continued, stating:

"And so in this portion of the act, we've had incidents in my own district happen, I actually saw, a one-and-a-half-year-old child ingest pills from her grandma's purse, accidentally eat it, and I watched at the hospital as they could do nothing for her. She didn't die, but she basically went on the high, crashed from the high, because they couldn't do anything for this young child that accidentally ingested it, and then the grandmother got thrown in jail for having that kind of illegal drug in her purse.

"And now, we're making sure that through this, and I'm suggesting that we consider this, is that because there's no penalty, we wouldn't know if there's extra medication hanging out in someone's bag, or in the medicine cabinet, or somewhere else, that it's not going to be tampered or touched by other people, who may or may not have any intention to apply this act. And bear in mind that in the hearing, many of the proponents of the bill said a lot of the people who start this act don't end up using the pills. They change their mind, they say, hey I don't want to do it, and that's their discretion, they can do that.

"But how are we going to make sure to recoup all that medication when we don't have pharmacies that recollect medicine? We don't have a method whereby we can actually make sure that X amount of pills went back, and now we have them back in our possession and nobody else can actually ingest them, no minor can be subject to them, and it won't be in a place where people can access it.

"And so those are concerns. Obviously, there's many amendments in here, because our deepest concern, and with respect to our chairs who have worked very diligently on it, our deepest concern is to make sure that we guard against malpractice, that we make sure that no elder, no *kupuna* in our community feels like they're forced into it. And that's the point of this, right? Is that no one should feel forced into it. And secondly, that nobody else gets ahold of medication that's not intended for them. As we know with the opioid crisis, that's what's happening. And we don't want to open the door for younger, or even older people, who might decide that, yup, I want to apply this too, that there's access to that type of medication out there. So those are my comments, and we offer these amendments with respect."

At this time, the Chair stated:

"The Chair would like to ask the members of the public to please refrain from applauding during the floor debate. We make the same request to the Members of the House. Thank you very much."

Representative LoPresti rose, stating:

"Thank you, Mr. Speaker. Point of personal privilege. Will the introducer yield to a question, to wit, will the introducer even vote for this version of the bill?"

At 11:45 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:46 o'clock a.m.

Representative Belatti rose to speak in opposition to the proposed floor amendment, stating:

"Mr. Speaker, really brief comments in opposition. These proposed floor amendments do not strike the proper balance before patient choice and access versus the safeguards that have been contemplated by the underlying bill. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. At this time, I rise in support of the amendment. Something I wanted to highlight was that this amendment includes a provision that requires an attending provider to refer a patient to a palliative care specialist. This can help patients improve their quality of life and reach their best possible functioning in their daily physical activities and self-care.

It can also assist in the difficult decision-making, not just for the patient, but it can also provide emotional support for families.

"By speaking with experts in palliative care instead of just having a psychological evaluation, a patient can make a fully informed decision. And I feel that it's crucial that all individuals suffering from terminal illness understand all options that are available to them, in all stages of the process. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in support. Specifically, one issue that was not in the previous discussion of the amendment last week, and that is a measurement mechanism. Mr. Speaker, in my past I've taught goal setting often, and the key is, if the goal can't be measured, it's not a goal. And generally, you can't tell the efficacy of a bill unless it has a sunset date.

"Following the example of California, there's a three year sunset date that I think is one of the things in this bill that will help it, because how many times do we pass bills on this floor that have unintended consequences, and this is a way that we can measure it, we can evaluate it, and we can make it better. For those reasons, Mr. Speaker, I'm in support of this amendment."

The motion that Floor Amendment No. 2, amending H.B. No. 2739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," be adopted, was put to vote by the Chair and upon a voice vote, failed to carry.

(Main Motion)

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

"Mr. Speaker, I know it's too late for a late introduction, but I wanted to acknowledge the participation in the democratic process of the blue and the yellow shirts that are here. I want to thank each one of them individually, for here we can't have them stand up, but at least we can acknowledge that they are here because of their concern for this bill. In all due respect, regardless of which side. In opposition.

"Having acknowledged that this is something where we agree to disagree, I think there's something that needs to be said. One is that, as life is a sacred thing, so is the act of dying, and I think it has to be both given the same respect. What's missing in both the existing bill as well as the amendment is that fact that this can be a public phenomenon. It doesn't specify in the bill that this will be in a hospital or will be in a home. It discourages people from doing it in public, but I think there's enough difficulty out there with what people are doing in public now to say that it probably should meet with some specificity. So as it moves on, I would hope that that would be the case. Lastly, Mr. Speaker, I would request additional comments into the Journal."

Representative Ward's written remarks are as follows:

"I am in opposition to HB 2739, 'Our Care, Our Choice' Act, which establishes a regulated process under which an adult resident of the state with a medically confirmed terminal disease and less than six months to live may choose to obtain a prescription for medication to end the patient's life.

"I am against this measure because of inadequate safeguards present within the legislation. I have attached an editorial published in the Star Advertiser as a reference. Many of my concerns, such as the sunset clause, are addressed within this article. Thank you, Mr. Speaker."

Representative Ward also submitted the following *Honolulu Star-Advertiser* editorial:

EDITORIAL | OUR VIEW

[Closely monitor 'aid in dying'](#)

March 11, 2018 Updated March 11, 2018 12:05am

House Health and Human Services and Judiciary Committees holds a public hearing on the so-called Death with Dignity bill that would allow terminally ill adults to end their lives with a lethal dose of prescription medication. Rep.

Scott Nishimoto, left, judiciary chairman, and Rep. John Mizuno, chair of committee, listen during hearing.

This must not be the end of the discussion — even one that has gone on for as long as this one.

It now appears likely House Bill 2739, which would legalize medical aid in dying, will become law. Last week the House passed it, 39-12, and that has been the chamber where the proposal has met its stiffest opposition in recent years. Further, Gov. David Ige has indicated he would sign the bill.

It surely would bring great relief to many to allow a terminally ill patient a prescribed drug for ending his or her life without suffering. However, even if lawmakers and the governor enact this measure, their duty to monitor its consequences must continue.

The legislative process has not ended, of course. Opponents have offered amendments in an effort to improve the bill. One, to add a "sunset clause" enabling lawmakers to take another look in three years, should be considered.

This has been one of the most hotly debated issues ever confronted by lawmakers, in Hawaii or anywhere else. Nearly two-thirds of states have contemplated it, but only five have legalized it: Oregon was the first, in 1994, with Washington, Montana, Vermont and California following suit.

Every aspect of this provision is filled with controversy, including its name. It used to be commonly known as "physician-assisted suicide"; now "medical aid in dying" is preferred.

The rationale is that bills such as HB 2739 limit this optional path to those found by a medical practitioner to be within six months of death from a terminal illness. This is not suicide, they argue, because death is shortly to be inevitable, and the drug merely eases that end.

Others will counter that a finding of "suicide" will nullify insurance claims by the survivors, among other unintended consequences. They add that this is why the term is avoided at all costs.

They also posit that there is no way to know for certain when death will come. Even one of the bill's most ardent supporters — retired lobbyist John Radcliffe, still under treatment for cancer considered terminal — has exceeded what doctors projected as his life expectancy by something approaching two years.

But supporters are also correct to assert that for many, many terminal patients, death will come as forecast, and it can be unendurable. Wishing and hoping for a miracle, they say, does not negate the very real suffering that can afflict terminal patients in their last days.

The House measure currently under review includes hoped-for safeguards against abuse. Among these: a waiting period of 20 days from the time the patient files a written request for the prescription; and steps to prevent coercion by someone in the patient's circle of family and friends.

There are two witnesses required to attest to the patient's sound mind in making the decision to seek the life-ending prescription. One of them must not be a relative, and one must not be someone entitled to a portion of the patient's estate at their death.

Whether or not this is enough protection should be the focus of further discussion as the bill moves through the Senate.

There are plainly defensible arguments that weigh in favor of HB 2739, not the least of which is simple compassion for the dying and their loved ones. Compassion & Choices, a nonprofit advocacy group, has testified that there have been no abuses documented in the states enabling medical aid in dying.

Organization officials have cited Oregon, which has tracked the program the longest, as having maintained palliative care — provision of pain relief and comfort to a dying patient, without a life-ending drug — as a choice; hospice referrals are up.

Still, Hawaii is not Oregon, and it behooves this state to make sure that no horror-story scenarios play out here. HB 2739, if it becomes law, should be followed by state health officials with an eye on possible coercion of the terminal patient.

Among the criteria they should check is the approach taken by health insurers, which could set coverage rates to encourage medical aid-in-dying over other clinical or end-of-life treatment options.

And if lawmakers are as inclined to enact the measure as it now seems, there should be discussion about whether alternative options are sufficiently supported by this legislation. Critics have pointed to the requirement for one or more counseling sessions to be provided "as necessary." This may not be strong enough, as mandates go.

The end of life can be an exquisitely difficult time for a dying patient and his or her loved ones. It also can be exquisitely precious, if pain can be managed properly. These final days have value, and each individual deserves his or her life to be lived in full measure.

Ultimately, it is compassion that is driving measures such as HB 2739 through the life-or-death gauntlet. But ensuring that someone is not deprived of their chance at life — that's compassion, as well.

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

"Thank you, Mr. Speaker. In opposition. So, I may not be deemed terminal. Many people view this bill as being towards being old and decrepit. But I'm not sure if you remember, back in November of 2014 when we first met, I was just released from the hospital and out of major surgery. And I barely made it, and if you recall, the first time we met, in fact, the first time I met the majority of you, I had a tube coming out of my stomach connected to a bag, which was tied to my leg. And oddly enough, I'm still suffering from that operation today.

"It's been a long go, and I'm not sure if any of you recall, but in March of 2016, I was rushed from this building by ambulance to Queen's Hospital. And thank you, everyone here, you've all sent me a very beautiful get well card. And from then on, it's been a very tough go for me. I suffer every day. I suffer so much that, of all people, I have to log my pain in a health journal. In fact, everyone here, free to look. In February, of my pain level that is recorded, I actually used one of these tools, Mr. Speaker, and the minimum number recorded in February is a four. And if anyone wants to look at this little chart here, a four, the smiley face, there's no smile on this, and that's the minimum. And the worst days goes up to an eight. It's a very difficult life I live. It's a different world I live.

"So what happens is, I see the doctor a lot. In fact, tomorrow I have to take a blood test. On Saturday, I have to go for an MRI. And in doing so, in the life I live, I get to meet a lot of other patients who live a similar life. And it's not that we're not deemed terminal, it's just that it's a very different world we live in, Mr. Speaker. And what we do is, we try to encourage one another to make it through the day. People don't understand that this encouragement, the message this House is, we should send to the people of Hawaii, is to try to just to survive. Suicide is not something we take lightly. It's a struggle each and every moment.

"You're not going to believe this but, in this bill, the process to commit this act of compassion is almost a little bit crazier, because each morning, when I pack this little pillbox, the pills in this little pillbox could kill me if I was to take it all at one time. I have to be very careful each morning, because if for some reason I was to be in so much pain, and for some reason if I forget if I took a pill or not and I double up, I'm out like a light."

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

Representative Kong continued, stating:

"And if it's a worse day and I overdose, I'm gone. This is the life we live. We don't need, when it comes down to suicide, why would I go through the process of this bill. You folks have to understand, we don't want to send a message of suicide. We want to send from the House, we want to send a message of hope. I wish I could push this idea of *aloha* to the members. I don't want to hear from you saying, oh, give it up Sam. I want to hear a message saying, please, make it one more day. It's so difficult for us, and there's many more like me. I speak to them as we wait in the doctors' office. It's a daily struggle for us.

"So, please, when you think about voting for this bill, please think about us that are suffering. We may not be terminal, and who knows, I'm not sure if you read the story about the story about Colin Nishida from Side Street Inn. I suffered, his story is my story. He died at a young age. I don't know how much longer I have, but this is the life we live. So, please, my friends, you have to understand, this is not just about the old and decrepit. This is about our lives. Thank you very much."

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

"Thank you, Mr. Speaker. I rise in support. Thank you, Mr. Speaker. First, I wanted to thank you, Mr. Speaker, for allowing your Committee on Health & Human Services as well as your Committee on Judiciary the latitude to hear a bill of this nature, of this magnitude, in an election year. You told your chairs to be bold, and that's what we did. Your decision to allow your chairs of the Health & Human Services Committee as well as Judiciary Committee allowed us to do government right. We listen to the voices of the people. I believe this displays the strength of the open democratic process for the people of Hawaii.

"I'd like to thank the Judiciary Chair, who is steadfast and focused on the strongest safeguards in this bill. The Judiciary Chair was our foundation as we went through the various discussions on this measure. I'd like to thank the Majority Leader, who was outstanding. She did a superb job at working with the advocates as well as the opponents, with working with both chairs, with working with all the members. She did a great job in crafting the strongest language that any state has on this subject. I have the highest admiration for our Majority Leader.

"Mr. Speaker, I also wanted to thank our Sergeant-at-Arms. We knew this would be a contentious issue at the hearing. He was so kind as to give me a script on the rules of decorum, which I promptly read. We had a five-hour hearing, and it was without incident. A lot of that was due to him, his outstanding staff, the sheriffs, our staff, all of our members. I also wanted to thank LRB, HMSO, Ian Ross, House Minority Staff Office, the Clerk's Office, and the Chairs and the Vice Chairs of both the Health & Human Services Committee and Judiciary Committee, for their fine work. We displayed public service in its finest form.

"Mr. Speaker, Our Care, Our Choice addresses an issue that we've been grappling before the Legislature for the past two decades. We as a people, we as elected representatives, must decide if we will recognize a person's freedom of choice. It's a very difficult decision when we're dealing with a person who has a terminal illness, who is in excruciating pain. We have to make that determination. Oregon recognized this and provided a state law that's called Death with Dignity back in 1994. Since then, four states and the District of Columbia has followed the Oregon example. One state, Montana, has done this by state supreme court ruling.

"I sincerely respect the values and choices and religions of all people. Mr. Speaker, I've felt that this issue, a magnitude of this issue needed at least a public hearing. We did not force any members to vote up or down, that's not us, and you know that. I just thought at the very least, we needed a public hearing on this issue, and the fact that it's an election year, even more so, to show transparency and accountability and public trust. This is what we did. I thank you for allowing us to do that.

"Mr. Speaker, nationally this has been an ongoing debate. In fact, it's risen up to the defining civil rights struggle of our time. Our Care, Our Choice follows a long history of landmark court rulings and legislative accomplishments recognizing our common humanity, our personal liberty, and our fundamental rights."

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

Representative Mizuno continued, stating:

"Thank you, Representative, thank you very much. In 1954, you had *Brown v. Board of Education*, which confirmed the rights of education, equal education to all. The Voting Rights Act of 1965 ensured fair voting right to the ballot boxes for everyone, regardless of race. In 1973, *Roe v. Wade* confirmed a woman's right to reproductive organs as well as a procedure on her body. And in 2015, the United States Supreme Court recognized marriage as a fundamental right between same-sex couples.

"Hawaii has often found itself on the right side of history during these previous civil rights struggles, and this hasn't been by accident, Mr. Speaker. It is because matters of this nature and magnitude are voted upon and by past legislatures. Today, this Chamber will have that opportunity. We will have the ability to determine the fundamental rights and the civil rights of our people.

"Mr. Speaker, I want to make this clear. This is about fundamental civil rights. It's about the right to dignity. It's about the right to privacy. It's about the right to bodily autonomy. It's about the right to liberty. It's the right for patients to seek treatment of their choice from their physician without government infringement or interference. Mr. Speaker, additionally, as spiritual leaders and religious members have often shared with me, it is a religious right as well. Strongly protected by the first amendment, I, along with many others who hold a faith and as some who may not have a faith, believe that there is a spiritual and sacred side to life.

"Government should tread carefully in matters relating to personal relations between people and their creator, their god, their religion. Few issues are more personal or of more spiritual significance than one's choice on their life and their creator.

"I believe democracy represents the government of the people, by the people, for the people. This must include a person's fundamental right to pursue her or his civil rights.

"I'm going to end it on this, Mr. Speaker. The faith and dignity of a person's fundamental and civil rights, to have the freedom of choice, lies in the hands of this body today. House Bill 2739, House Draft 1, Our Care, Our Choice, will afford an adult of sound mind, who is a resident of our state with less than six months to live in prolonged, excruciating and unbearable pain, the ability to exercise their freedom of choice. The freedom from the bondage of excruciating pain and suffering. For those reasons, Mr. Speaker, I support this bill. Thank you, thank you members."

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

"Mr. Speaker, I rise in opposition to this bill. But before stating my reasons, I'd like to state that I respect all Members of this House, whether they are for or against this bill. My main reasons, there are two, why I have to speak in opposition of this bill is because I believe that it's against God's law. One of the ten commandments states, thou shall not kill. It's not about, you can kill with dignity or suicide, it just plainly states, thou shall not kill. As a Christian, I follow that.

"Number two reason, Mr. Speaker, I still believe in miracles. There's a lot of miracles happening, not only in Hawaii, but worldwide. If we have this bill, longtime, we will have a lot of people dying or dead. I know that our good friend, a lobbyist, has been maybe stage IV terminal cancer. If we had that bill way back, he's no longer with us now. That's one of the miracles of life. And of course, as we go through the process, I hope and pray that there will be a miracle happening before we do final reading that will convince us that this bill is not a good bill. Thank you very much, Mr. Speaker. *Aloha.*"

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

"Thank you, Mr. Speaker. I rise in strong support. As a legislator and as a physician that may one day be called upon to prescribe a life-ending medication, I welcome that potential opportunity because I think it's the right thing to do. We are now, finally, willing to provide for our human loved ones what we have long been able to provide for our animal loved ones. I think it is ironic we've been able to provide a humane death for animals, but not always for humans. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support. Mr. Speaker, as representatives, we each hold these positions of stature in our representative communities because of our titles. And as a result, we're often the beneficiary of certain benefits as a function of our community's respect for us and for the position, and we're also afforded certain responsibilities as a result of our duties. I've often said that I think difficult decisions should be debated before this body because that's our responsibility, to ask and debate and find solutions to difficult issues.

"Two years ago, I was afforded a significant responsibility among my own family. I was asked to do the eulogy for my first cousin, Jeanine Keohokalole. I'm a younger, as far as the adults go in my family, I'm on the

younger end, and I was genuinely nervous when I was asked, because I didn't want to do it. And I knew that, being a younger member of the family, I knew why I was being asked. I was being asked because I was a person of stature in the community and in the family, and I didn't want to be asked because I knew I would have to say yes, and I knew that I had to. It made me think about death in a different way. I had to encapsulate the life of a person in a speech.

"And as a result of that experience, I've come to realize that we don't talk about death in our society, in our local community. We just don't deal with this issue well. Even for those of us who believe that there is life after death. But you know what, Mr. Speaker? No one is immune to this issue, no matter how much we ignore it, and if we cannot talk about something within this body, it limits our ability to address it in a meaningful way.

"Many families today, many of us on this floor, are impacted by the slow and often painful fade of a loved one. As an adult, I've personally experienced the slow decline of my grandmother, my wife's grandmother, and my cousin, whose eulogy I did. She died of cancer, pancreatic cancer, which was discovered because she was suffering from lingering back pain over a period of about a year, which she initially tried to ignore, and eventually, because of the pain, sought the assistance of a doctor for.

"In the spring of 2015, the doctors discovered a tumor on her pancreas that had not only spread to her adjacent organs, but was also pressing on a nerve in her back, which was the source of that excruciating pain. She underwent successive rounds of chemotherapy that ultimately proved unsuccessful. In April of 2016, she passed away. She was 47 years old. She had two children. She was in pain from that entire year, from her diagnosis until she passed, she was in pain. That year was defined by pain. The tumor pressed upon the nerve in her back and left her in constant pain, and the side effects from the medication made it difficult for her to eat.

"I remember sitting in church with her and she had a hard time sitting, because of the pain, but she was too wiped out from the chemotherapy to stand, so she'd sit there and suffer. The sitting made it difficult for her to ride in vehicles, which made it hard for her to go over the mountain from Kaneohe into town to undergo chemotherapy, to try and save her life. Toward the end, she came home. And for the last several weeks of her life at home, eating was so painful that the only sustenance she could receive was water or juice soaked in a small sponge attached to the tip of a lollipop. So that she wouldn't die of dehydration, that's how she spent the last several weeks of her life. Suffering."

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

Representative Keohokalole continued, stating:

"Mr. Speaker, these are terrible details to have to hear. I myself was uncomfortable with this issue, again having to relive this situation, but I wasn't the one suffering, I was only a family member. I spoke with her family, I spoke with her daughter, just to make sure that they were comfortable with me bringing this up because, again, we don't talk about this issue in Hawaii, from a cultural standpoint, the local culture. But these things happen, they happen every day to people, and those are the people that we are considering in this legislation.

"We, as leaders, are duly designated by our committees, need to hear these stories and understand the consequences of our action or our inaction as a legislature. Mr. Speaker, I can appreciate the concerns with this bill. I agree that we should be vigilant in our efforts to ensure that this proposal is not misused, and I believe that the approach laid out in this bill appropriately accounts for those concerns.

"Ultimately, I support this legislation because of the issues brought up by the Chair of Human Services. I believe this is a constitutional issue, a civil rights issue. Mr. Speaker, we have, each of us, a constitutional right to refuse medical treatment. If any of us today, heaven forbid, were to get into an accident, and the ambulance were to come to try to provide service for us, we have a constitutional right to refuse their care. Even if we are bleeding out on the sidewalk, we can say, no, let me go, and they are duty-bound to abide. In light of that right, I just cannot see how, at the same time, we can continue to stand by a policy that acknowledges your civil right to refuse

medical service but requires people like my cousin to suffer at the end of their lives.

"Because I believe it is a civil right, I also believe that the government should, as it does with all other civil rights, recognize that the assertion of that right comes at the age of majority. You have no civil right to smoke cigarettes or drink alcohol. You do have the right to privacy from government interference in medical decisions, though. I believe that, again, this is a right of personal liberty. Individuals should have that freedom, and this bill gets the government out of the way by no longer forcing these people to suffer.

"Where in the constitution, Mr. Speaker, does it say that the people have empowered the government to force this type of suffering, that I previously described, on their citizenry? I don't think that the founders accounted for this, I really don't. Not when they drafted a bill in a time where we didn't have even the most basic of medical treatment options that we have today.

"So Mr. Speaker, my cousin and I, we never had this discussion before she passed away. I don't know what she would have decided, had she been given the chance. But that's the point. She never had the choice. People deserve a choice, and for those reasons I stand in support of this bill. Thank you."

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

"Strong support. Mr. Speaker, I actually did not plan on speaking on this, but I owe my constituents an explanation for my vote. As a scholar, I've spent a fair amount of time studying medical ethics. I've taught, many times, a course that's entitled 'On Death and Dying.' Currently, I'm teaching a directed studies class, and the title of the class is 'On the Philosophy of Death.' Mr. Speaker, I don't talk much about it, but I've spent a lifetime studying this issue. But I'm not going to pontificate to my colleagues, my friends, my constituents.

"The best explanation is a personal one. Because those in my life whom I've spoken with about this and who've come to me to speak about this support it. From whatever background, from whatever religion, from whatever political views. The conservatives in my family are some of the strongest supporters of a measure like this, to have this choice. And just to try to be brief about it, I believe we should have, each have, that free and unfettered choice.

"We are a death-denying culture, Mr. Speaker. We don't like to talk about it. We hide it away in hospitals and hospices, and it makes us uncomfortable to think about it. Of course it does, it's our mortality. But we do have that duty to consider that here today, and I know that you each are, as I am. And I believe we, in the end, need to err on the side of freedom in our democracy in unfettered choice, and therefore I am strongly in favor. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, may I add a historical footnote to this debate. Two questions. Where do civil rights come from? Where does life come from? The answer is simple, it's from Providence, not this body. Thank you."

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

"Mr. Speaker, in support. Both my father and my brother had terminal illnesses. My father had supranuclear palsy, and my 59-year-old brother had ALS, or Lou Gehrig's disease. Both lived full and active lives. In the end, when they could no longer walk and take care of themselves, both wanted the choice to die with dignity.

"This bill is about giving people a choice. If you're terminally ill, this bill gives you an option. If you're morally against this bill, you have a choice not to proceed down this path.

"I would like to thank the Majority Leader from Makiki for her hard work in crafting this bill, and I would like to acknowledge the Health & Human Services and Judiciary Committees for amending this bill to include strong safeguards. Your work is very much appreciated."

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

"In strong support. We've heard a lot of great speeches about the mechanisms and protections in this bill, and it's clear that we created a sound and just legislation. So I just want to speak at the core of its intent to address some concerns about morality that have been raised.

"Indeed, our humanity tells us that our lives are all sacred and should be cherished, but we are all intelligent, critical thinking, and empathetic adults in this Chamber, and surely we can understand that the quality and dignity of life are essential to our humanity as well. I trust that we have the ability to understand, at certain times, the decision to end your life is not wrong, but merciful. Just for a second, envision your spouse, parent, son, daughter, like we heard. If that loved one fell upon enduring intolerable suffering, is it moral to force them to continue on that way, or should that person be given a compassionate choice, to seek medical help to end his or her pain and leave us with dignity?

"My partner's uncle was a gregarious man, everyone loved this guy, a self-made immigrant from the Philippines, a true American story, a doctor. But upon his twilight years, he fell into extreme ill health, contracted a cancer, where he was in constant pain and dizziness all day. His mental faculties were intact, but he felt his essence slipping away. All his loved ones felt it too. And at a certain point it became unbearable and he knew he wanted to go but had no dignified way to do so, so he attempted to take his life over a balcony. He shattered most of his bones but remained alive in a cast on a hospital bed, suffering even worse for months until the day he left us just last year. No one wants to, no one should be remembered that way.

"I'll conclude with something current. Two days ago, I watched the Oscars. One scene from one of those movies, one letter read out loud, really captures the humanity and spirit of this bill. I won't tell you the movie, because, spoiler alert, but here's the letter.

"My darling Anne. There's a longer letter in the dresser drawer I've been writing for the last week or so, that one covers us, and my memories of us, and how much I've always loved you. This one just covers tonight, and more importantly, today. Tonight I have gone out to the horses to end it. I cannot say sorry for the act itself, although I know for a short time you will be angry at me, or even hate me for it. Please don't. This is not a case of, I came in this world alone and I'm going out of it alone, or anything dumb like that. I did not come in this world alone, my mom was there. And I am not going out of it alone, because you were there, drunk on the couch, making Oscar Wilde jokes. No, this is a case, in some senses, of bravery. Not the bravery of facing a bullet down. The next few months of pain would be far harder than that small flash. No, it's the bravery of weighing up the next few months of still being with you, still waking up with you, of playing with the kids, against the next few months of seeing in your eyes how much my pain is killing you. How my weakened body, as it ebbs away, and you tend to it, are your final and lasting memories of me. I won't have that. Your final memories of me will be us at the riverside, and that dumb fishing game, which I think they cheated at. And me beside you, and you beside me. And barely a fleeting thought of the darkness yet to come. That was the best Anne. A whole day of not thinking about it. Dwell on this day, baby, because it was the best day of my life. Kiss the girls for me, and know that I've always loved you. And maybe I'll see you again if there's another place.

"That's the spirit of all this, of this bill, and unfortunately this individual, albeit in theater, didn't get a chance to go peacefully because he was not provided an act of compassion like we are considering today. But to me, this letter captures the dilemma people who are suffering face. But that decision should ultimately be in their hands. It's about humanity, and now more than ever, in these uncertain times, we need to act to restore and base our decisions in humanity. So Mr. Speaker, let's finally pass this bill, and give our *kūpuna* and all loved ones the love and mercy they deserve, and empower them with the chance to carry on and carry out with dignity and pride. Thank you."

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

"Thank you, Mr. Speaker. In support, in strong support. House Bill 2739, House Draft 1 establishes a regulated process under which an adult resident of the state with a medically confirmed terminal disease and less than six

months to live may choose to obtain a prescription for medication to achieve a peaceful death from suffering.

"Mr. Speaker, the theme of my comments is conversation. This is a decades-long conversation we have been having in our state, as noted by the Chair of the Health & Human Services Committee. It is a conversation among policymakers in this body, and passionate, wise and committed people on all sides of this issue.

"In 1998, then Governor Cayetano's Blue Ribbon Panel was deeply divided on the issue of physician-assisted suicide. Of the 18 panel members, 11 were in support, 6 were in opposition, and 1 chose to abstain. Among the noes, expert leaders in the medical field, a psychiatrist, a gerontological nurse practitioner, the Hawaii Nurses Association, a cancer researcher, an elder law expert, and religious leaders. Since that time, in 2002, 2004, 2007, 2011, 2017, different committees within this body have argued and debated and examined the issue. So these conversations have not stopped, but what has changed is the opinions of the public, of medical practitioners, and another thing that has changed is that we have seen more evidence.

"So last year I had the opportunity to attend a conference following the one-year anniversary of the passage of California's aid in dying bill. There, the conversation was continuing. Leading palliative care specialists from around the country, ethicists, some of the greatest medical minds within the University of California system, were still struggling with the same questions that we are struggling with here today.

"But what we know from the experience of California, and what we know from over 18 years of experience in Oregon, to address the concerns of my very wise colleagues from across the aisle, the concerns about where these choices are being made and exercised, whether or not palliative care is being accessed. We know from the data that in Oregon, over 94% of the people exercising this are using this in their homes in the presence of family and friends. In their home, where they are loved. We know from just six months of data in California that people who've exercised this option are in fact receiving quality palliative care, hospice care. So we know that this choice is one that is being exercised with deep care and deep thought to what is happening.

"So what did we do, learning all of this? We responded in our committees to the critiques that mental health assessments were not being done in Oregon, and the strongest safeguard that I stand by in this bill, Mr. Speaker, is the one that requires a conversation. Again, another conversation with a counselor, a psychiatrist, a psychologist, a licensed clinical social worker, the people who are trained to have these conversations and to know if their decision is informed. We responded to that critique. We made this bill for the residents of Hawaii. We recognize that there's access issues, so we said, for that counselor position, we can allow for telehealth. This is a bill for Hawaii that was made in response.

"I'll leave one last thing, Mr. Speaker. The good Representative from Kahaluu talked about the fact that we don't have these conversations enough. And I would leave you with a book to read called *The Conversation: A Revolutionary Plan for End-of-Life Care* by Dr. Angelo E. Volandes. The last chapter of this book actually talks about the excellent palliative care that is occurring and the excellent conversations that are beginning to happen throughout our community. But this doctor who looks at palliative care issues says the first, necessary step toward a remedy lies with a return to the oldest tool in medicine's proverbial black bag, talking with patients about their wishes for how they want to live their remaining time.

"That is what this bill is about. It is to offer that end-of-life option for individuals with a terminal illness, to talk about how they want to live in their remaining days. Thank you, Mr. Speaker, for the opportunity to work on this bill, and thank you for allowing us to have this conversation."

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

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

Representative Tokioka's written remarks are as follows:

"Mr. Speaker, I know that this is a contentious issue. Some people cannot reconcile their morals with the idea of any life being ended intentionally, regardless of the situation. However, I believe that people have a choice to end their own lives in situations where the alternative is a lengthy, painful death.

"My father was bedridden for the last 18 months of his life, and my family watched him lose his health and happiness. It broke our hearts to see him suffer. These types of situations are tragically common because the reality is that when people die of natural causes, they often die in terrible pain.

"I have concerns with the current version of this bill. I support the amendments suggested by the Attorney General's Office to minimize ambiguity in the language. Additionally, I am in favor of raising the age requirement from 18 to 21-years-old.

"I am not in favor of people dying. However, when death is practically inevitable, I do not want anyone to suffer more than necessary. I hope that this bill will provide peace of mind to people battling terminal illnesses and make the process easier on their families."

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

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker, I rise in support of HB 2739, HD 1. The Our Care Our Choice Act provides a comprehensive framework for a terminally ill patient to decide, in consultation with a qualified medical team, whether to endure significant pain and suffering or to receive a prescription medication that would allow the patient to die in a peaceful manner.

"The bill also contains strong safeguards to ensure that this process cannot be abused and that patients suffering from depression or an untreated mental illness cannot receive a life-ending prescription. The patient also retains the right to rescind their request for a prescription at any time.

"After talking with community members, stakeholders, friends and family, I realize that this is a personal choice that each individual needs to make for themselves. I will continue to support comprehensive end-of-life care and services, including hospice and palliative care, to ensure that every Hawaii resident has a full range of options available, should they ever have to make this difficult decision. Thank you, Mr. Speaker."

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

"Mr. Speaker, in reservations, brief comments. Mr. Speaker, as a social worker who's actually worked in the hospitals, had to work with families, actually had to counsel people regarding their next steps, have talked to many families who have addressed the issue of pain and suffering. Mr. Speaker, I support the underlying understanding of having the discussion about death and dying.

"Mr. Speaker, some of my concerns still remain in the bill, is the issue of the protections to the healthcare workers as well as addressing some of the directives regarding ensuring that these individuals are making the decisions without undue pressures and influence, as well as the encouragement that they also seek the guidance, not only medically, but also spiritually. Thank you, Mr. Speaker."

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

"Mr. Speaker, strong support, permission to insert written comments."

Representative Takayama's written remarks are as follows:

"Mr. Speaker, I rise in strong support of H.B. 2739, the so-called death with dignity bill.

"I believe it should ultimately be the patient's personal decision to choose the option of ending one's own life. I know it is an option I would want for myself, and I do not feel that I should deny it to others.

"H.B. 2739 can only be used by terminally ill patients with six months or less to live and mentally capable of making decisions. It requires the patient to make at least two requests verbally plus one in writing, the diagnosis of a terminal illness must be verified by two physicians, and the patient must undergo a mental health counseling session.

"At every step of the way, the patient must affirm his or her decision to seek this path. Finally, the medication must be self-administered by the patient. These safeguards are intended to prevent against abuse or misuse of the law, and are more stringent than those of any other state that has enacted a 'death with dignity' law.

"The use of this law is purely voluntary by patients and doctors. Religious groups who feel this goes against their beliefs can decline to participate.

"Mr. Speaker, as for those who contend that this is just another form of suicide, I respectfully disagree. I know what it is like to lose a close friend to suicide, and this is far different. Persons who commit suicide often suffer from mental depression or other illness, or are under the influence of drugs or alcohol. H.B. 2739 requires that patients be fully capable of making an informed decision, and requires confirmation by physicians and counselors.

"For these reasons, I ask my colleagues to join me in supporting this important measure."

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

Representative DeCoite's written remarks are as follows:

"With reservations. I personally believe that we should give people choices in how they want to live and how they want to die. I am not sure if this bill has covered all the bases to ensure that we do this right the first time. I would like to see what information would be given to physicians, patients, and other healthcare providers that have roles covered by this law; and by whom. The entire process needs to be explained in simple to understand and follow instructions, so everyone can comply with the requirements spelled out in the law. If those affected by this law are unclear on what is required, then we will see confusion and other possible negative consequences.

"As this bill moves forward, I hope that we gain more consensus rather than split our constituents on one side versus the other. *Mahalo.*"

Representative Mizuno rose to respond, stating:

"Mr. Speaker, still in support. I just want to submit something to the Journal from Governor Abercrombie. He called our office yesterday and applauded the House of Representatives on this bill, and I'd like to place that in the record, if I can have permission to place his statements in the record for today. Thank you very much, Mr. Speaker."

Representative Mizuno submitted the following letter he received from Governor Neil Abercrombie:

March 5, 2018

Representative John Mizuno
repimizuno@capitol.hawaii.gov

RE: HB2739-HD1

Dear John,

Having begun my elected political career in 1974 I have been an observer of and participant in the legislative process for hundreds of issues and thousands of votes over the last five (5) decades. I write to you today to state with some justified degree of authority that I believe HB2739-HD1 – The Our Care, Our Choice Act – is a textbook case study in how the legislative process should work and that it represents a high point of Representative democracy in action. I believe it will serve as a standard for the conduct of how a bill transforms itself into a law.

HB2739 addresses issues that are profound in their implications; issues difficult if not impossible to reconcile in that the positions taken are held by many who espouse them to be absent of compromise. The principles referenced in support of one view or another are thought to be immutable by many who sincerely put them forward. The consequences of legislative action are thought to be deeply personal and passionately believed.

In such a context, what is demanded of legislative leadership is unwavering respect for the process and for those participating in it. Calm oversight of hearings, abiding patience with and respectful attention to those whose views are being shared is fundamental. And perhaps most importantly what is required is a clear understanding that the decision makers who ask the voters to put their faith in the good judgment of their elected representatives cannot run away from the responsibility to make those decisions; that they forthrightly and resolutely exercise their best thoughts and conclusions in the legislation before them and take action.

HB2739 is the very definition of what I've outlined. It will be seen in time to come as a masterpiece of transparent deliberation leading to the vote to be taken today. I am well aware that many will be disappointed in the final version up for consideration, their opposition will not alter nor will their reasoning and convictions be swayed.

But what the Legislation has provided in the steps taken to this point is a lesson plan in showing how everyone's views can be heard, considered, respected and acknowledged.

Approval may not be universal, but this Legislature will have done its duty openly and thoroughly and HB2739 will be adjudged a tribute to its integrity and fidelity to democratic legislative tradition.

Well done!!

The motion was put to vote by the Chair and carried, H.B. No. 2739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 39 ayes to 12 noes, with Representatives DeCoite, Matsumoto, Tokioka and Yamane voting aye with reservations, and with Representatives Aquino, Cachola, Choy, Cullen, Har, Johanson, Kong, McDermott, Quinlan, Tupola, Ward and Woodson voting no.

H.B. No. 1655:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1655, entitled: "A BILL FOR AN ACT RELATING TO TAX ON SALES OF TANGIBLE PERSONAL PROPERTY," passed Third Reading by a vote of 40 ayes to 11 noes, with Representatives Choy, DeCoite, Har, Ito, Kong, McDermott, Ohno, Say, Tokioka, Tupola and Ward voting no.

H.B. No. 1520, HD 2:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1520, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Tupola voting no.

H.B. No. 1605, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 1605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING HAWAII GENERAL EXCISE TAX LAWS FOR THE PURPOSE OF DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Choy, Har, Ito, Say and Tokioka voting no.

H.B. No. 2702, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, H.B. No. 2702, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Har and Tupola voting no.

At 12:34 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2588, HD 1

H.B. No. 2074, HD 1
 H.B. No. 2739, HD 1
 H.B. No. 1655
 H.B. No. 1520, HD 2
 H.B. No. 1605, HD 1
 H.B. No. 2702, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 42 through 49) and concurrent resolutions (H.C.R. Nos. 54 through 63) were referred to Printing and further action was deferred:

H.R. No. 42, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE ABILITY OF USING WAVE ENERGY PRODUCTION TO MEET THE STATE'S RENEWABLE ENERGY GOALS," was offered by Representative Ing.

H.R. No. 43, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO REINSTATE THE BAN ON THE MANUFACTURE, TRANSFER, AND POSSESSION OF THE AR-15 RIFLE AND OTHER CIVILIAN WEAPONS THAT WERE DESIGNED FOR MILITARY USE," was offered by Representative Ing.

H.R. No. 44, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE NEEDS AND COSTS ASSOCIATED WITH THE IMPLEMENTATION OF AUDIO AND VIDEO TECHNOLOGY TO PROVIDE ACCESS FOR ALL STATE RESIDENTS TO TESTIFY IN-PERSON ON LEGISLATION," was offered by Representative Lowen.

H.R. No. 45, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII AT MANOA AND UNIVERSITY OF HAWAII AT HILO TO OFFER ADDITIONAL ONLINE DEGREE AND CERTIFICATE PROGRAMS," was jointly offered by Representatives Say and McKelvey.

H.R. No. 46, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A GLOBAL EDUCATION STUDENT EXCHANGE PROGRAM BETWEEN CHINA AND HAWAII FOR LOW-INCOME MINORITY STUDENTS," was jointly offered by Representatives Say and McKelvey.

H.R. No. 47, entitled: "HOUSE RESOLUTION ENDORSING TAIWAN'S PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, INTERNATIONAL CIVIL AVIATION ORGANIZATION, WORLD HEALTH ORGANIZATION, AND INTERNATIONAL CRIMINAL POLICE ORGANIZATION; ENCOURAGING A U.S.-TAIWAN BILATERAL TRADE AGREEMENT; AND CELEBRATING THE STATE OF HAWAII'S TWENTY-FIFTH ANNIVERSARY OF SISTER-STATE RELATIONS WITH TAIWAN," was jointly offered by Representatives Nakashima, Holt, Kong and Say.

H.R. No. 48, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A WORKING GROUP TO EVALUATE THE REGULATION OF PERSONAL VEHICLE RENTALS AND TO CONSIDER STANDARDS OF PRACTICE FOR THIS INDUSTRY," was offered by Representative Aquino.

H.R. No. 49, entitled: "HOUSE RESOLUTION REQUESTING STUDIES ON INDIRECT AND OVERHEAD COST REIMBURSEMENTS AND TIMELINESS OF PAYMENTS TO NONPROFIT HEALTH AND HUMAN SERVICE PROVIDERS CONTRACTED BY THE GOVERNMENT," was jointly offered by Representatives Learnmont and Mizuno.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT WAIANAE, OAHU, FOR THE EXISTING SEAWALL, STEPS, AND LANDSCAPED AREA AND FOR USE, REPAIR, AND MAINTENANCE OF THE EXISTING IMPROVEMENTS CONSTRUCTED THEREON," was offered by Representative Gates.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT A STUDY ON THE ABILITY OF USING WAVE ENERGY PRODUCTION TO MEET THE STATE'S RENEWABLE ENERGY GOALS," was offered by Representative Ing.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REINSTATE THE BAN ON THE MANUFACTURE, TRANSFER, AND POSSESSION OF THE AR-15 RIFLE AND OTHER CIVILIAN WEAPONS THAT WERE DESIGNED FOR MILITARY USE," was offered by Representative Ing.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE NEEDS AND COSTS ASSOCIATED WITH THE IMPLEMENTATION OF AUDIO AND VIDEO TECHNOLOGY TO PROVIDE ACCESS FOR ALL STATE RESIDENTS TO TESTIFY IN-PERSON ON LEGISLATION," was offered by Representative Lowen.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A GLOBAL EDUCATION STUDENT EXCHANGE PROGRAM BETWEEN CHINA AND HAWAII FOR LOW-INCOME MINORITY STUDENTS," was jointly offered by Representatives Say and McKelvey.

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION ENDORSING TAIWAN'S PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, INTERNATIONAL CIVIL AVIATION ORGANIZATION, WORLD HEALTH ORGANIZATION, AND INTERNATIONAL CRIMINAL POLICE ORGANIZATION; ENCOURAGING A U.S.-TAIWAN BILATERAL TRADE AGREEMENT; AND CELEBRATING THE STATE OF HAWAII'S TWENTY-FIFTH ANNIVERSARY OF SISTER-STATE RELATIONS WITH TAIWAN," was jointly offered by Representatives Nakashima, Holt, Kong and Say.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION URGING STATE DEPARTMENTS AND PRIVATE LAND OWNERS TO SUPPORT EFFECTIVE AND HUMANE REDUCTION OF FREE-ROAMING CAT POPULATIONS USING THE TRAP-NEUTER-RETURN-MANAGE STRATEGY," was offered by Representative Saiki.

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING MARCH 19 AS HAWAII CELEBRATING WOMEN IN PUBLIC OFFICE DAY," was jointly offered by Representatives DeCoite, Belatti, Evans, Fukumoto, Har, Ichiyama, Learnmont, Lowen, Luke, Matsumoto, Morikawa, Nakamura, San Buenaventura, Thielen and Tupola.

H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO CONVENE A WORKING GROUP TO EVALUATE THE REGULATION OF PERSONAL VEHICLE RENTALS AND TO CONSIDER STANDARDS OF PRACTICE FOR THIS INDUSTRY," was offered by Representative Aquino.

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STUDIES ON INDIRECT AND OVERHEAD COST REIMBURSEMENTS AND TIMELINESS OF PAYMENTS TO NONPROFIT HEALTH AND HUMAN SERVICE PROVIDERS CONTRACTED BY THE GOVERNMENT," was jointly offered by Representatives Learnmont and Mizuno.

LATE INTRODUCTIONS

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

Representative Tokioka introduced former Governor Neil Abercrombie.

ANNOUNCEMENTS**COMMITTEE ASSIGNMENTS**

The following measures were referred to committee by the Speaker:

H.C.R.

<u>No.</u>	<u>Referred to:</u>
24	Committee on Health & Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

S.B.

<u>Nos.</u>	<u>Referred to:</u>
2055, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
2712, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2823, SD1	Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.R.

<u>No.</u>	<u>Re-referred to:</u>
14	Committee on Public Safety, then to the Committee on Finance

H.C.R.

<u>No.</u>	<u>Re-referred to:</u>
17	Committee on Public Safety, then to the Committee on Finance

ADJOURNMENT

At 12:35 o'clock p.m., on motion by Representative Morikawa, seconded by Representative Ward and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, March 8, 2018.