

FORTY-SEVENTH DAY

Tuesday, April 9, 2019

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019, convened at 9:05 o'clock a.m., with Speaker Saiki presiding.

The invocation was delivered by Ms. Sunshine David, Legislative Aide to Representative Sean Quinlan, after which the Roll was called showing all members present with the exception of Representative Holt, who was excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 661 through 685) were received and announced by the Clerk:

Sen. Com. No. 661, transmitting H.B. No. 720, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 662, transmitting H.B. No. 6, HD 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 663, transmitting H.B. No. 154, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SERVICE CONTRACTS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 664, transmitting H.B. No. 158, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR LAW COMPLIANCE FOR GOVERNMENT CONTRACTS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 665, transmitting H.B. No. 201, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 666, transmitting H.B. No. 214, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISINTERMENT OF HUMAN BODIES," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 667, transmitting H.B. No. 252, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SPEECH PATHOLOGY," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 668, transmitting H.B. No. 267, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 669, transmitting H.B. No. 273, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY NOTICE FOR INSURANCE," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 670, transmitting H.B. No. 349, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL YOGA DAY," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 671, transmitting H.B. No. 469, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEARING AIDS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 672, transmitting H.B. No. 507, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEARCH WARRANTS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 673, transmitting H.B. No. 532, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT DATA," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 674, transmitting H.B. No. 658, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 675, transmitting H.B. No. 664, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENDER IDENTITY," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 676, transmitting H.B. No. 665, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ELECTRONIC PRESCRIPTION ACCOUNTABILITY SYSTEM," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 677, transmitting H.B. No. 711, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DEFENSE," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 678, transmitting H.B. No. 760, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 679, transmitting H.B. No. 898, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF HEALTH," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 680, transmitting H.B. No. 941, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEE'S DESIGNATION OF BENEFICIARY FORM," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 681, transmitting H.B. No. 1035, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 682, transmitting H.B. No. 1272, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUGS," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 683, transmitting H.B. No. 1319, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR ELECTRIC PUBLIC UTILITIES," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 684, transmitting H.B. No. 1394, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTY SURCHARGE ON STATE TAX," which passed Third Reading in the Senate on April 5, 2019.

Sen. Com. No. 685, dated April 5, 2019, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 25, SD 2, HD 1
 S.B. No. 92, SD 1, HD 1
 S.B. No. 98, HD 1
 S.B. No. 138, HD 1
 S.B. No. 203, HD 2
 S.B. No. 330, SD 1, HD 1
 S.B. No. 341, SD 2, HD 2
 S.B. No. 385, SD 1, HD 2
 S.B. No. 394, SD 1, HD 1
 S.B. No. 413, HD 1
 S.B. No. 414, SD 1, HD 1
 S.B. No. 471, SD 2, HD 1
 S.B. No. 485, SD 1, HD 1
 S.B. No. 494, SD 1, HD 1
 S.B. No. 495, SD 2, HD 1

S.B. No. 535, SD 1, HD 1
 S.B. No. 541, SD 1, HD 2
 S.B. No. 549, SD 1, HD 2
 S.B. No. 566, SD 1, HD 1
 S.B. No. 600, HD 2
 S.B. No. 660, HD 1
 S.B. No. 661, SD 1, HD 1
 S.B. No. 693, SD 2, HD 1
 S.B. No. 711, SD 1, HD 1
 S.B. No. 770, SD 1, HD 1
 S.B. No. 777, SD 1, HD 2
 S.B. No. 785, SD 1, HD 1
 S.B. No. 817, SD 2, HD 1
 S.B. No. 823, SD 1, HD 2
 S.B. No. 908, SD 2, HD 1
 S.B. No. 980, HD 1
 S.B. No. 985, SD 1, HD 1
 S.B. No. 990, SD 2, HD 1
 S.B. No. 1000, SD 2, HD 2
 S.B. No. 1001, SD 2, HD 1
 S.B. No. 1020, SD 2, HD 1
 S.B. No. 1037, SD 1, HD 1
 S.B. No. 1039, HD 1
 S.B. No. 1130, SD 1, HD 1
 S.B. No. 1192, SD 2, HD 1
 S.B. No. 1193, SD 2, HD 1
 S.B. No. 1194, SD 2, HD 1
 S.B. No. 1196, SD 2, HD 1
 S.B. No. 1198, SD 2, HD 1
 S.B. No. 1199, SD 2, HD 1
 S.B. No. 1202, SD 2, HD 1
 S.B. No. 1203, SD 2, HD 1
 S.B. No. 1204, SD 2, HD 1
 S.B. No. 1210, SD 1, HD 1
 S.B. No. 1212, SD 1, HD 1
 S.B. No. 1227, HD 1
 S.B. No. 1242, SD 2, HD 1
 S.B. No. 1297, SD 2, HD 1
 S.B. No. 1314, SD 1, HD 1
 S.B. No. 1360, SD 1, HD 1
 S.B. No. 1378, SD 1, HD 1
 S.B. No. 1442, SD 1, HD 1
 S.B. No. 1459, SD 2, HD 2
 S.B. No. 1475, SD 1, HD 1
 S.B. No. 1486, SD 1, HD 1
 S.B. No. 1498, SD 1, HD 1
 S.B. No. 1525, SD 1, HD 1

Representative Belatti moved to disagree to the amendments made by the Senate to the following House Bills, seconded by Representative Morikawa and carried: (Representative Holt was excused.)

H.B. No. 6, HD 3, (SD 1)
 H.B. No. 154, HD 1, (SD 1)
 H.B. No. 158, HD 1, (SD 2)
 H.B. No. 201, HD 1, (SD 1)
 H.B. No. 214, HD 2, (SD 1)
 H.B. No. 252, (SD 1)
 H.B. No. 267, HD 1, (SD 1)
 H.B. No. 273, HD 1, (SD 1)
 H.B. No. 349, (SD 1)
 H.B. No. 469, HD 1, (SD 1)
 H.B. No. 507, HD 1, (SD 1)
 H.B. No. 532, HD 1, (SD 1)
 H.B. No. 658, HD 1, (SD 1)
 H.B. No. 664, HD 2, (SD 1)
 H.B. No. 665, HD 2, (SD 1)
 H.B. No. 711, HD 1, (SD 1)
 H.B. No. 760, HD 2, (SD 1)
 H.B. No. 898, (SD 1)
 H.B. No. 941, HD 1, (SD 1)
 H.B. No. 1035, HD 1, (SD 1)
 H.B. No. 1272, HD 1, (SD 1)

H.B. No. 1319, HD 2, (SD 2)
 H.B. No. 1394, HD 1, (SD 1)

ORDER OF THE DAY

SUSPENSION OF RULES

At this time, the Chair stated:

"Members, could you please turn to page 14, we'll be taking SCR Nos. 2214 through 2216 out of order. There are operating budget items."

On motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the rules were suspended for the purpose of considering certain Senate Bills for Third Reading by consent calendar. (Representative Holt was excused.)

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2214) recommending that S.B. No. 812, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 812, SD 1, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, on Senate Bill 812, SD1, HD2, Stand. Com. Rep. 2214, I just wanted to thank the IAC Chair. It's rare that we take time to look at the budget of DCCA, but in this situation what he has done is he did a comprehensive analysis of how to align the various fees with the services that are being provided, and through this vehicle we are certain that we will have reasonable fees that will be charged by DCCA to provide the type of services that they need to provide for the benefit of the public. So, a lot of gratitude to the IAC Chair for working diligently on this, for program IDs in DCCA. Thank you."

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

"Thank you, Mr. Speaker. In support. And I'd like to adopt the words of the previous speaker, particularly the part about the IAC Chair," and the Chair "so ordered." (By reference only.)

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 812, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS," passed Third Reading by a vote of 51 ayes, with Representative Say voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2215) recommending that S.B. No. 512, SD 1, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 512, SD 1, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, with reservations on those operating budgets. Thank you."

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

"Thank you, Mr. Speaker. In support of 2215, which is relating to the Department of Transportation's budget, and just a few words. One would hope that with the money that they could turn the lights in the Pali tunnels. It's incredibly unsafe and it just boggles my mind that they can't come up with a temporary lighting situation when our movie producers can do night lighting without a problem, somehow DOT just can't get it together. So, I hope there's some push in there along with the money for them. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 512, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Third Reading by a vote of 51 ayes, with Representative Say voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2216) recommending that S.B. No. 491, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 491, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, with reservations on those operating budgets. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 491, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Third Reading by a vote of 51 ayes, with Representatives Okimoto, Say and Tokioka voting aye with reservations.

At 9:14 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 812, SD 1, HD 2
S.B. No. 512, SD 1, HD 1
S.B. No. 491, SD 2, HD 2

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair stated:

"We're now on part I, consent calendar, item 5a.

"Members, there will be no discussion, as these items have been agreed to by the members for placement on the consent calendar."

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2141) recommending that S.B. No. 1148, SD 2, 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 S.B. No. 1148, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2144) recommending that S.B. No. 752, SD 1, 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 S.B. No. 752, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2145) recommending that S.B. No. 1151, SD 1, 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 S.B. No. 1151, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DEPARTMENT OF AGRICULTURE LOANS," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2146) recommending that S.B. No. 759, SD 2, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 759, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2147) recommending that S.B. No. 19, SD 2, 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 S.B. No. 19, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SURPLUS LINES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2152) recommending that S.B. No. 1241, SD 1, 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 S.B. No. 1241, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY DATA," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2153) recommending that S.B. No. 272, HD 2 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 272, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY DEVICES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2154) recommending that S.B. No. 1440, SD 1, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1440, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR TREVI SYSTEMS, INC., OR ITS RELATED ENTITY, KONA COAST WATER LLC," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2155) recommending that S.B. No. 492, SD 2, 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 S.B. No. 492, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2156) recommending that S.B. No. 470, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 470, HD 1, 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. 2157) recommending that S.B. No. 1173, SD 1, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1173, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2158) recommending that S.B. No. 1417, SD 2, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1417, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, thank you for allowing me to speak in strong support of Senate Bill 1417, SD2, HD1, Relating to Filipino Veterans Burial Assistance. This bill appropriates funds for burial grants for qualifying Filipino-American World War II veterans that will provide funeral and burial services and transportation of their remains back to the Philippines. These veterans are in their 90s, are low-income, and do not have the financial means or resources to transport their remains back home.

"As young men, they enlisted in the war against aggression and fought alongside U.S. troops. They were promised citizenship and many other benefits in return for their service. Unfortunately, the U.S. government reneged on much of their promised benefits.

"On behalf of these Filipino-American veterans, their family and supporters, I urge my colleagues to support Senate Bill 1417, SD2, HD1, which helps to rectify this indignity and recognizes the sacrifices made by these veterans and their families. This measure is long overdue; and sadly, much too late for so many.

"For the precious few Fil-Am veterans who remain, let us do the right thing and pass this important bill. It is the just and reasonable thing to do."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1417, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2159) recommending that S.B. No. 1526, SD 1, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1526, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSERVATION ENFORCEMENT," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2162) recommending that S.B. No. 411, SD 2, 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

S.B. No. 411, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2164) recommending that S.B. No. 911, SD 1, 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 S.B. No. 911, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2165) recommending that S.B. No. 1246, SD 2, 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 S.B. No. 1246, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2168) recommending that S.B. No. 1197, SD 2, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1197, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT COST ITEMS," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2169) recommending that S.B. No. 592, SD 1, 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 S.B. No. 592, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SALARY OF THE STATE LIBRARIAN," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2180) recommending that S.B. No. 1176, SD 2, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1176, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FALSE CLAIMS TO THE STATE," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2182) recommending that S.B. No. 763, SD 2, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 763, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING AND MARKETING," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2184) recommending that S.B. No. 281, SD 1, 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 S.B. No. 281, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2185) recommending that S.B. No. 1494, SD 2, 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 S.B. No. 1494, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2187) recommending that S.B. No. 50, SD 2, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 50, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, I rise in strong support of Senate Bill 50, House Draft 1.

"This measure appropriates \$910,000 (\$455,000 per year for FY 2019-20 and FY 2020-21) to continue and expand the Hawaii Nutrition Employment and Training Program (HINET), an innovative program that began in 2015 as an interagency collaboration between Windward Community College and the Department of Human Services.

"HINET provides much needed financial assistance to students who are eligible or receive Supplemental Nutrition Assistance Program (SNAP) benefits. In addition to SNAP benefits, students receive assistance through reimbursements for gas, books, supplies, and uniforms.

"HINET also allows students to count their education towards the weekly work requirements of SNAP. Students can spend less time juggling full-time work and worrying about paying for rent, food, and other basic needs. Instead, students can focus on succeeding in school and developing skills that will enhance their ability to succeed in the future.

"State and private funds invested into the HINET program are eligible for reimbursement from the Federal Government up to 50%. Thus, Senate Bill 50, House Draft 1 is expected to generate \$1,365,000 in combined federal and state spending for the HINET program. These combined funds will allow the HINET program to support an additional thousand students on top of the more than 500 students who have already benefitted from HINET assistance.

"Because HINET provides targeted assistance to support qualified students as they pursue an education that can lift them and their families out of poverty, I support Senate Bill 50, House Draft 1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 50, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2193) recommending that S.B. No. 417, SD 2, 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 S.B. No. 417, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2195) recommending that S.B. No. 316, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 316, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, I stand in strong support of Senate Bill 316, House Draft 2.

"Established in 2017 by the State Legislature and formally codified in 2018, the Hawaii Community College Promise Program helps to ensure that a college education is accessible to all qualified residents of the state who demonstrate financial need.

"During the 2017-18 academic year, approximately 1,500 students received Hawaii Promise scholarships to support starting or continuing their community college education. The intent of this program is to remove all cost barriers to attending community colleges within the University of Hawaii System, allowing qualified students to use their scholarship awards to pay for tuition, fees, books, and transportation.

"This measure demonstrates the Legislature's commitment to ensuring that community college remains attainable to those most economically disadvantaged. This is especially important because poverty and lack of access to educational opportunities are inextricably linked.

"In addition to the \$1.4 million appropriated to sustain the Community College Promise Program through 2021, this measure also requires the University of Hawaii to annually assess the effectiveness of the Promise Program by collecting data that tracks whether Promise scholarship awards increase the likelihood of students enrolling into and completing a degree program in the community college system.

"It is critical that we recognize that supporting students in achieving postsecondary success leads to greater social and economic benefits for individuals, families, communities, and the state at large. Because Senate Bill 316, House Draft 2 represents an investment in our state's future, I support the continuation of Hawaii's Community College Promise Program."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 316, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2196) recommending that S.B. No. 978, SD 1, 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 S.B. No. 978, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE LIBRARY SYSTEM," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Cabanilla Arakawa voting no.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2202) recommending that S.B. No. 772, 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 S.B. No. 772, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LAWS," passed Third Reading by a vote of 51 ayes.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2204) recommending that S.B. No. 1041, SD 2, 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 S.B. No. 1041, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT PRACTICES," passed Third Reading by a vote of 51 ayes.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2205) recommending that S.B. No. 1423, 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 S.B. No. 1423, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAYMENT OF BAIL," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2211) recommending that S.B. No. 366, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 366, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in support of Senate Bill 366, House Draft 2.

"There are an estimated 28,000 people in Hawaii who live with Alzheimer's disease. An estimated one in three *kūpuna* will die from the disease. Unfortunately, as baby boomers age, the number of people who will develop Alzheimer's disease and other kinds of dementias will only rise. Without a cure on the horizon, our state needs to develop a comprehensive and effective plan to manage the disease and ensure care in the community.

"This bill appropriates approximately \$60,000 to fund a position within the Executive Office on Aging to update the State Plan on Alzheimer's Disease and coordinate the provision of public and private Alzheimer's disease and related dementia services.

"The State Plan – last updated in 2013 – is the state's guiding document when it comes to the prevention of Alzheimer's disease, management of the disease in people who already have it, and education of individuals and the public on the affliction. By comprehensively examining the care delivery systems through the State Plan, the State can identify gaps in knowledge, services, and data. In turn, this information can help us develop specific goals and implement strategies that better coordinate care and access to services in the community.

"Senate Bill 366, House Draft 2 demonstrates this Chamber's clear commitment to maintaining the vitality and wellbeing of our *kūpuna*, their families, and our communities. For the above reasons, I support passage of Senate Bill 366, House Draft 2. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 366, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 51 ayes.

THIRD READING

S.B. No. 859, SD 1, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 859, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS," passed Third Reading by a vote of 51 ayes.

S.B. No. 2, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL DEFENSE," passed Third Reading by a vote of 51 ayes.

S.B. No. 126, SD 1, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 126, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 51 ayes.

S.B. No. 166, SD 1, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 166, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 51 ayes.

S.B. No. 1271, SD 1, HD 1:

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.B. No. 1271, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX REFUND OFFSETS," passed Third Reading by a vote of 51 ayes.

At 9:15 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1148, SD 2, HD 1
 S.B. No. 752, SD 1, HD 1
 S.B. No. 1151, SD 1, HD 2
 S.B. No. 759, SD 2, HD 1
 S.B. No. 19, SD 2, HD 1
 S.B. No. 1241, SD 1, HD 1
 S.B. No. 272, HD 2
 S.B. No. 1440, SD 1, HD 1
 S.B. No. 492, SD 2, HD 2
 S.B. No. 470, HD 1
 S.B. No. 1173, SD 1, HD 1
 S.B. No. 1417, SD 2, HD 1
 S.B. No. 1526, SD 1, HD 1
 S.B. No. 411, SD 2, HD 2
 S.B. No. 911, SD 1, HD 1
 S.B. No. 1246, SD 2, HD 2
 S.B. No. 1197, SD 2, HD 1
 S.B. No. 592, SD 1, HD 2
 S.B. No. 1176, SD 2, HD 1
 S.B. No. 763, SD 2, HD 1
 S.B. No. 281, SD 1, HD 2
 S.B. No. 1494, SD 2, HD 1
 S.B. No. 50, SD 2, HD 1
 S.B. No. 417, SD 2, HD 2
 S.B. No. 316, SD 2, HD 2
 S.B. No. 978, SD 1, HD 2
 S.B. No. 772, HD 2
 S.B. No. 1041, SD 2, HD 2
 S.B. No. 1423, HD 1
 S.B. No. 366, SD 2, HD 2
 S.B. No. 859, SD 1, HD 1
 S.B. No. 2, HD 1
 S.B. No. 126, SD 1, HD 1
 S.B. No. 166, SD 1, HD 1
 S.B. No. 1271, SD 1, HD 1

At this time, the Chair stated:

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

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

The House of Representatives reconvened at 9:23 o'clock a.m.

ORDINARY CALENDAR**SUSPENSION OF RULES**

At this time, the Chair stated:

"Members, please note that Senate Bill 1047, SD2, HD2 has been re-referred solely to the Committees on Human Services & Homelessness and Judiciary per committee referral sheet number 50. The Committee on Finance waived its referral to this measure, and therefore it is appropriate for the House to consider action for passage on third reading. We will be taking up three motions for this measure."

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the rules were suspended to reconsider action previously taken on S.B. No. 1047, SD 1, HD 2. (Representatives Holt, Mizuno, Ohno and Quinlan were excused.)

RECONSIDERATION OF ACTION TAKEN

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the House reconsidered its action previously taken pursuant to the recommendation contained in Stand. Com. Rep. No. 1703, recommending referral to the Committee on Finance. (Representatives Holt, Mizuno, Ohno and Quinlan were excused.)

UNFINISHED BUSINESS**S.B. No. 1047, SD 1, HD 2:**

Representative Belatti moved that S.B. No. 1047, SD 1, 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 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."

The motion was put to vote by the Chair and carried, and S.B. No. 1047, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading by a vote of 46 ayes to 1 no, with Representatives DeCoite, San Buenaventura and Tokioka voting aye with reservations, with Representative Okimoto voting no, and with Representatives Holt, Mizuno, Ohno and Quinlan being excused.

At 9:25 o'clock a.m., the Chair noted that the following bill passed Third Reading:

S.B. No. 1047, SD 1, HD 2

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2086) recommending that S.B. No. 898, SD 1, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 898, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND RECORDATION," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2142) recommending that S.B. No. 1150, SD 2, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1150, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1150, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF AGRICULTURE," passed Third Reading by a vote of 51 ayes, with Representative Okimoto voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2143) recommending that S.B. No. 1353, SD 3, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1353, SD 3, HD 3 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I'm rising in support and to say just a few comments. This is relating to industrial hemp, and it's a subject on which I've spoken maybe once or twice in this Chamber. The bill itself may need to be tweaked a little bit further as it goes into conference committee, but it's a good bill and it should move forward.

"I wanted to just bring members up to date. You know I've talked about the 25,000 uses and products with industrial hemp. Well, there's another. I don't know if any members or members' families or friends happen to have tattoos. They're discovering that the tattoo ink may have a bad health impact with some changes to a person's lymph nodes as the tattoo kind of ages and the person ages. Well, guess what? Hemp-based ink is healthy and it's now on the market, so we have 25,001 uses for this incredible plant. Thank you, Mr. Speaker."

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 am voting with reservations on this bill because I am concerned about the future and the possibility that we may one day see approval of genetically modified hemp by the FDA. There may be potential for growing hemp in Hawaii and the Department of Agriculture currently has a list of 17 licensees in Hawaii on the islands of Hawaii, Maui, Oahu, Kauai, and Molokai. With Mahi Pono on Maui announcing big plans to farm on the 41,000 acres it bought from Alexander and Baldwin, could industrial hemp be part of their future plan?

"When Arcadia Biosciences was granted a license to grow industrial hemp on Molokai by the Department of Agriculture in March 2019, trading in shares of the company skyrocketed by 59% or 765,000 shares, near five times the full day average. Arcadia Biosciences is a large agricultural biotechnology company that sees enormous opportunity in the legal cannabis industry and the need for improved plant quality, productivity, consistency, and resilience. One of its units, Arcadia Specialty Genomics, has the capability to deliver on this need. If they are successful, Hawaii could become the GMO capitol for industrial hemp. Is this what we want? *Mahalo.*"

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

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

"In strong support, Mr. Speaker, and I would like to insert written comments."

Representative Cabanilla Arakawa's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 1353, SD3, HD3.

"The State of Hawaii has a real opportunity to develop the industrial hemp industry to strengthen our economy and diversify our agricultural offerings. Hawaii has the ideal climate and soil conditions and year-round sunshine that is perfect for the cultivation of hemp. It grows naturally without the need for irrigation or labor-intensive cultivation.

"The Agriculture Improvement Act of 2018 or 'Farm Bill' legalized hemp by removing hemp from the definition of 'marihuana' contained in the federal Controlled Substances Act, inter alia. Therefore, hemp is no longer classified as an illegal drug under federal law.

"The Agriculture Improvement Act also makes amendments to the Agricultural Marketing Act of 1946. These amendments authorize the department of agriculture of each state to submit to the federal Secretary of Agriculture a proposed plan for the state's department of agriculture to monitor and regulate hemp production within the state.

"It authorizes the assessment and collection of fees for applications, licenses, license renewals, inspections, and the sampling and testing of industrial hemp to ensure it does not exceed the legal limit of THC. However, the testing should only be done on the finished product because actively growing plants tend to mutate in nature and increase its contents of THC.

"After the federal Secretary of Agriculture approves a state plan, authorized entities within the respective state may engage in the production of hemp, including at the commercial level.

"Hemp is also beneficial in removing toxins from the soil (phytoremediation).

"Hemp grows quickly and is a superior phytoremediation crop. Hemp is an environmentally-friendly and efficient feedstock for biofuel. Hemp can be made into clothing and used in other products to promote the growth of small businesses.

"The imminent passage of SB 1353, SD3, HD3 will bring great opportunity to cultivate industrial hemp and produce. The Agriculture Committee recognizes the great potential for the State and the people of Hawaii to develop the industrial and a new source of revenue for the State.

"Members of Agriculture Committee are committed to helping to bring together the state, federal and local government as well as the stakeholders, potential growers and producers of the industrial hemp industry to promote and advance seedling, cultivation, processing, manufacturing and marketing of industrial hemp and its potential by-products.

"This act will facilitate the regulation and production of industrial hemp in the state by requiring the Department of Agriculture to establish a permanent industrial hemp program to license individuals to cultivate industrial hemp in the state. The act amends the definition of 'marijuana' in state law to clarify that hemp is not marijuana.

"It requires the chairperson of the Board of Agriculture to prepare and submit a proposed state plan to monitor and regulate hemp production, including commercial production and research, to the federal Secretary of Agriculture pursuant to section 297B of the Agricultural Marketing Act of 1946, as amended. It mandates them to report to the governor, speaker of the House of Representatives, and president of the Senate on the status of the federal Secretary of Agriculture's pending approval of the state plan and, if approved, the subsequent implementation of the plan. For these reasons, I urge my colleagues to support this worthy measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1353, SD 3, HD 3, entitled: "A BILL FOR AN ACT RELATING TO INDUSTRIAL HEMP," passed Third Reading by a vote of 51 ayes, with Representatives DeCoite and Har voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2148) recommending that S.B. No. 1325 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1325 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, may I request a ruling on potential conflict? In my private sector life, I represent condominium associations. Thank you."

The Chair addressed Representative Har, stating:

"No conflict. That will remain in effect throughout session."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1325, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2149) recommending that S.B. No. 966, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 966, SD 1, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative Matsumoto's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in strong support for SB 966.

"This bill allows Hawaii Technology Development Corporation (HTDC) to utilize identified parcels of land within or around Mililani Tech Park for development and community benefits. HTDC testified that they are currently facilitating development efforts for the First Responders Technology Campus (FRTC) in Mililani. This First Responders Technology Campus will be a community space for the State and the City and County of Honolulu to have joint trainings and operations. Police, fire, public safety, emergency services, technology services, and the Hawaii National Guard will have access to using the FRTC.

"In conjunction with their preexisting development efforts for the FRTC, this measure would ensure that these parcels are also being properly utilized to their maximum capacity. These parcels would essentially serve a diverse purpose within the community, from disaster relief to other community related efforts.

"Furthermore, the positive, overarching effect that this bill will have extends beyond the Mililani community itself. FRTC, for example, would essentially operate within Mililani but serve the State in disaster relief efforts. The benefits that FRTC will provide includes having centralized, consolidated emergency responders and data center, which will add to our overall public safety and help to reduce costs for development, maintenance, and repair by all agencies that utilize the facility. The added support these parcels would provide to this preexisting project would not only strengthen the program, but would also diversify the location for other uses.

"For these reasons, I support SB 966. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 966, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MILILANI TECHNOLOGY PARK," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Perruso voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2150) recommending that S.B. No. 972, SD 1, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 972, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SHIP REPAIR INDUSTRY," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2151) recommending that S.B. No. 1348, SD 1, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1348, SD 1, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, strong support. Mr. Speaker, this is regarding the small business regulatory review board. I'm speaking because it's rather historical in that the review board has been around for 20 years, but it's never had a budget. This one has a blank budget and it's saying to those who are thinking that we are entirely a business unfriendly state, this is an indication that we are business friendly.

"There's been 863 decisions in the last 20 years and most of those are regarding overburdensome regulations, *et cetera*. So, Mr. Speaker, this is the watch dog that's very important in most of our small businesses using the SBA definition, we're up in the 90 percentile, our small businesses. So, this bill is historic and hopefully it's going to turn around the small business version of the unfriendly State of Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1348, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS REGULATORY REVIEW BOARD," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2160) recommending that S.B. No. 1257, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1257, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. With reservations. I can appreciate the department needing to raise the fees, however, the targeted 50% at one time is kind of exasperating."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1257, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO USE PERMITS FOR SMALL BOAT HARBOR FACILITIES," passed Third Reading by a vote of 51 ayes, with Representatives DeCoite and McKelvey voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2161) recommending that S.B. No. 162, SD 2, 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 S.B. No. 162, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Okimoto and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2163) recommending that S.B. No. 1091, SD 2, 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 S.B. No. 1091, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2166) recommending that S.B. No. 567, SD 2, HD 2 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 567, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 567, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATED TO MENTAL HEALTH TREATMENT," passed Third Reading by a vote of 51 ayes, with Representative Okimoto voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2167) recommending that S.B. No. 768, SD 1, HD 2 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 768, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADOLESCENT MENTAL HEALTH SERVICES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2170) recommending that S.B. No. 789, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 789, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, in opposition. Mr. Speaker, this is the minimum wage bill. It has mutated, metastasized, and has gone from a small amount to a big amount and, Mr. Speaker, now it's about a dollar a year. But if I cite the historical record since the year 2000, there was a 24 cents increase every year, and if I go for the last 10 years it was 28 cents every year. Mr. Speaker, we're doing a five-times increase in the minimum wage.

"Mr. Speaker, this bill doesn't fit the Hawaii economy, as we are always slightly different than the mainland. And this bill is going to encourage, as it happens in many ways, there's been a few national media shows that have said that, you know, there's a tsunami coming on some of the small employers. Some of the people are going to have their hours cut back. Some of the businesses are going to cut back employees. And one of my favorite subjects, A.I. is being invited into the labor force with unimpeded instructions. Artificial intelligence is on its way, this just greases the slicks or makes the slippery slope even all the more rapid.

"And lastly, Mr. Speaker, I think the small businesses that we want to survive, because we are a state of small businesses, need to know that we are for them as we were with just the last bill, the small regulatory review board, will have a say in how this bill should be administered.

"For those reasons, Mr. Speaker, I would hope that as it gets into conference and other areas, it's not going to be looked as an antilabor, but it'll look as something that we can follow up as the State of Hawaii rather than following a national trend which everybody is trying to up each other

from \$15 to \$16, even \$17 per hour as being floated as a popular option. For those reasons, Mr. Speaker, I have a no vote. Thank you."

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

"Thank you, Mr. Speaker. In support. I do think that tackling cost of living issues and poverty as a multifaceted problem requires a multifaceted solution, which is why I'm glad that this body takes up looking at the tax code, it also looks at provision of childcare and how to make that more affordable, as well as affordable housing.

"But I do think a key component of seriously looking at how we address our cost of living has to involve looking at compensation and looking at wages. With all due respect to the previous speaker, I do want to emphasize, particularly for members, because I think it's important, the House has always tried to take a Hawaii-centric focus and a Hawaii-specific focus. Which is why, if members look at the bill, they'll see that specifically because Hawaii is so unique in the way that it provides for employer-sponsored health care, which is a huge cost and a burden that employers bear, but I think a good one and a good one that has underpinned our very delivery of health care. I do think it's important to preserve that, Mr. Speaker, which is why each version of the minimum wage concept bill that has moved out, whether it's a House or a Senate bill, contains a provision for a lower but still increased minimum wage specific to those employers who provide employer-sponsored health care for their employees. We want to incentivize that. We want to keep the very basis of how we ensure that we have such a low uninsured rate.

"So, I do want to note, particularly because it was said, that it's important to keep Hawaii in mind. That is particularly what the House's proposal does. It takes into consideration the very specific, very unique, and I think very special and positive way that we deliver health care. Really, we were on the vanguard of how we did it back in the '70s, and we want to make sure that that special quality is preserved, and our labor policies need to take that into consideration, particularly our minimum wage policies.

"Thus, whether you are receiving health care or you're not receiving health care, under the House's version of the bill, you would be receiving an increase in your minimum wage. But I think, rightly so, we've tried to recognize that providing health care is an additional cost to employers and thus perhaps we should look at a bifurcated minimum wage to recognize just how much that cost ends up affecting small businesses. So, this is a bill that is specifically trying to take into consideration not just Hawaii's unique setting, but to reconcile both the cost of doing business as well as the cost of living imposed on employees. Thank you."

Representative Matsumoto 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 Matsumoto's written remarks are as follows:

"Thank you, Mr. Speaker. I rise with very strong reservations on SB 789, SD2, HD2.

"I recognize the need for the people of Hawaii to have the income to not just make ends meet but to have the ability to thrive. I know that by nearly every measure, wages simply aren't adequate for our cost of living.

"However, I have severe reservations with raising the minimum wage by such large amounts statewide. There are three main reasons why I believe that we must be more creative with solving the cost of living rather than simply raising the minimum wage.

"First, data from mainland cities and states that have raised the minimum wage demonstrate that it's not always a net-positive. Seattle, for example, has a \$15/hour minimum wage for most employers. The data shows that places with large companies like Amazon, Expedia, and Google can support high-earning service sector workers.

"Unfortunately, data from Washington also shows that a statewide minimum wage of just \$12/hour has caused layoffs, reduced benefits, and

more limited customer amenities in several lower cost of living areas of the state.

"Perhaps Oahu's vibrant industries and above-state-average incomes could bear a higher minimum wage, but who can say with confidence that businesses in Lihue, Kaunakakai, or Hilo could handle \$15/hour?

"Second, studies indicate that minimum wage jobs don't do a very good job at helping those in poverty. In fact, raising the minimum wage tends to benefit those who already have a job, skills, and qualifications.

"When minimum wages are low, employers can take a risk by hiring someone who has never graduated from high school or is otherwise less qualified than other applicants. But when the minimum wage is too high, employers stop taking risks and instead hire people who already have skills and experience. Working at the minimum wage is meant to be temporary – raising the minimum wage will push men and women out of the labor force who desperately need the experience and training available through a minimum wage job.

"Thirdly, economic growth, innovation, and investment cause us all to be better off. As we know, Hawaii's economy is heavily reliant on the service sector where labor is the highest cost of doing business. If we increase the cost of labor through law, businesses and individuals will have less income to invest in growth and innovation.

"And although some employees will have more take-home income, if businesses close, lay people off, or move to cheaper states, Hawaii will experience stunted economic growth, innovation, and investment.

"In summary, Mr. Speaker, I have grave reservations about implementing a statewide \$15/hour minimum wage.

"I know that the current rates are blank, and I would implore my colleagues in conference to consider either a very minimal increase or return to the idea of allowing each county to set its own rate specific to their own economic conditions.

"For these reasons, I am voting for SB 789 with extreme reservations."

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

"Mr. Speaker, in opposition, brief comment. While cost of living is a challenge for many of us, we are not a business-friendly state. And when the cost of minimum wage is increased, it also impacts those that have been trying to be entrepreneurs of small business.

"When you raise the cost of minimum wage, we should really call it a cost of a worthy wage. Are you worthy of it or not? Minimum wage is a basis and a starting point of whether or not someone has the license or the certification to be paid that wage. Cost of living has been a challenge for many of us here. And while businesses have been hit with other imports and so forth, whether it be from mainland or foreign countries, those are not subjected to the same costs that these small businesses are.

"And I believe that if you're worthy of the minimum wage increase, many businesses would be more than willing to pay the minimum wage increase. But the trend that we've seen across the state is businesses that are shutting down due to heavy rules and regulations that have been imposed, not just by the State of Hawaii, but by the Federal Government. For those reasons, Mr. Speaker, I'm in opposition. Thank you."

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

"Thank you very much, Mr. Speaker. In support. I do have some concerns about the bifurcated approach to this bill, but overall, we should increase the minimum wage. In response to my good friend, the Representative from East Honolulu, Hawaii should lead the nation. As you know, Mr. Speaker, historically the minimum wage in Hawaii has been at least 50 cents higher than the rest of the country or most of the states. As it stands now, fully a third of the states in the United States are on track to enact minimum wages far higher than what we currently have in the state.

"Second point about the minimum wage and its cost to the economy, what we never talk about is the cost of a maximum wage. In this country there is no maximum wage, and yet the gap between those who make the most money, whether they're CEOs and whatnot, is greater than it's ever been in our history. We ought to take a look at capping the maximum wage. Thank you."

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

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

"Thank you, in support. Just a few words on one part of this, which is irrespective of the levels of increase and everything else that's been debated, there is one piece of this that I think needs to be spoken to, and to our good colleague from Molokai who raised the question of whether or not people are worthy of receiving a particular level of wage, this bill takes steps to try and address that for one particular subset of individuals, those folks for far too long have been deemed not worthy by this Legislature, by our government, and by society because they are disabled, because they have other physical issues which prohibit them from working in many places. We've consciously taken a step and made a decision to say, you know what, it's okay that we pay them less, they are worth less. This bill starts to fix that. Thank you, Mr. Speaker."

Representative DeCoite rose to respond, stating:

"Thank you, Mr. Speaker. The insinuation of whether or not they're physically challenged to receive that wage is not the issue. I believe most of those that are physically challenged are actually better workers in taking direction from what they are tasked to do. What we're trying is say is that, that's why you start with a minimum wage, to see if you qualify to be paid worth \$20 or \$25 an hour. That's my point that I'm trying to make, Mr. Speaker. Thank you."

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

Representative Tokioka's written remarks are as follows:

"I believe that everyone should be paid a living wage."

"My concern is if this bill is passed as is, employees who hire individuals with disabilities will not continue to do so because of additional costs incurred. For businesses who hire members from the disability community, they are doing it to encourage these individuals to be proactive citizens in our community. I'm afraid that companies will no longer be hiring out of goodwill."

"Many locally owned restaurants have already closed and this will be one more negative impact to their bottom line."

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

Representative Ward rose to respond, stating:

"Mr. Speaker, just another added note of caution. If we are not reasonable about this and we do leaps and bounds, \$1, \$2, \$17, \$20 or more. Mr. Speaker, there's a universal guaranteed income that people are talking about in this nation, whether you work or you don't work, we're going to give you \$1,000 a month. Is that what we want? Do we want to demotivate our work force? Do we want all of this stuff to be guaranteed without any personal responsibility? Those are part of the downfalls of a nation. So, we're not there yet, but universal guaranteed income is already on the horizon. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 789, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MINIMUM WAGE," passed Third Reading by a vote of 42 ayes to 9 noes, with Representative Matsumoto voting aye

with reservations, and with Representatives Cabanilla Arakawa, DeCoite, Har, Kong, Okimoto, Quinlan, Say, Tokioka and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2171) recommending that S.B. No. 1394, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1394, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"With reservations, brief comment. I do support historic preservation, but I think we need to examine how much of the cost of historic preservation the government is willing to take on. Under this bill it would allow 30% of the cost to be borne by the state taxpayers. That's in addition to 20% that's being borne federally. That's 50% of the total cost. I just want to make sure that we're all aware that this bill does have a fairly large fiscal impact and I just want to make sure we're spending our money the right way. Thank you."

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

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

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

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

"Mr. Speaker, I rise in support with reservations. In Finance Committee, we had a discussion on this. And as usual, the Tax Foundation commented that tax credits are not a very efficient way of providing support to something like historic preservations. As a previous speaker said, there's already a 20% federal tax. With this bill, there might be additional personnel hired to determine whether certain buildings qualify for this historic preservation criteria. There might be a fee that would go to the Historic Preservation Special Fund. There is provision for a recapture clause. So, a lot of little things that make up for a lot of bureaucracy, I think, and I think overall we need to think very carefully about how we do tax credits in general. Thank you."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1394, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 51 ayes, with Representatives Har, Hashimoto, B. Kobayashi, Matayoshi, Matsumoto, Okimoto, San Buenaventura and Thielen voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2172) recommending that S.B. No. 976, SD 2, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 976, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 976, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LIBRARIES," passed Third Reading by a vote of 51 ayes, with Representatives Okimoto, Thielen and Tokioka voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2173) recommending that S.B. No. 983, SD 2, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 983, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2174) recommending that S.B. No. 852, SD 2, 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 S.B. No. 852, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTITUTION FOR VICTIMS OF CRIME," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2175) recommending that S.B. No. 1460, SD 1, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1460, SD 1, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1460, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Third Reading by a vote of 47 ayes to 4 noes, with Representative Okimoto voting aye with reservations, and with Representatives DeCoite, Har, Say and Tokioka voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2176) recommending that S.B. No. 130, SD 1, 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 S.B. No. 130, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL LEGAL SERVICES," passed Third Reading by a vote of 51 ayes.

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

S.B. No. 898, SD 1, HD 1
S.B. No. 1150, SD 2, HD 1
S.B. No. 1353, SD 3, HD 3
S.B. No. 1325

S.B. No. 966, SD 1, HD 2
S.B. No. 972, SD 1, HD 1
S.B. No. 1348, SD 1, HD 1
S.B. No. 1257, SD 2, HD 2
S.B. No. 162, SD 2, HD 3
S.B. No. 1091, SD 2, HD 2
S.B. No. 567, SD 2, HD 2
S.B. No. 768, SD 1, HD 2
S.B. No. 789, SD 2, HD 2
S.B. No. 1394, SD 2, HD 2
S.B. No. 976, SD 2, HD 1
S.B. No. 983, SD 2, HD 1
S.B. No. 852, SD 2, HD 1
S.B. No. 1460, SD 1, HD 1
S.B. No. 130, SD 1, HD 1

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2177) recommending that S.B. No. 427, SD 2, as amended in HD 1, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 427, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

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

"Mr. Speaker, I rise in opposition to this bill which most people are not going to understand. It's called ranked choice voting. This is a solution in search of a problem, Mr. Speaker. The old saying, if it ain't broke don't fix it. Mr. Speaker, let me be very frank, 46 members out of 51 in this body are already elected by our present system. This bill is anti-minority, and there's only five us. That is not fair. This bill would knock out a Charles Djou or anybody who's a minority who wins by 15,000 votes because we have to choose one, two, and three, and well let's see I know one number two, I'm not sure about number three. Mr. Speaker, even my office was arguing about how these bills were to be interpreted, so we called up the Office of Elections. They didn't know how to interpret all the jungle primary and then this primary.

"Mr. Speaker, we do not have an election system problem, we have a voter apathy problem. People don't want to sign up to vote, people don't want to show up to vote. Let's face facts with facts. This bill does nothing other than super majority the super majority even more than it is now. This bill is unnecessary, unfair, and something that should be recommitted. I will not say that I will ask for a recommittal, but it should be. Thank you."

Representative Quinlan rose, stating:

"Mr. Speaker, I rise on a point of information. In my district I am a member of the minority party."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 427, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RANKED CHOICE VOTING," passed Third Reading by a vote of 46 ayes to 5 noes, with Representatives Kong and Okimoto voting aye with reservations, and with Representatives Gates, Matsumoto, McDermott, Thielen and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2178) recommending that S.B. No. 1539, SD 1, 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 S.B. No. 1539, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATED TO BAIL HEARINGS," passed Third Reading by a vote of 46 ayes to 5

noes, with Representatives Matsumoto, McDermott, Okimoto, Thielen and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2179) recommending that S.B. No. 1069, SD 1, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1069, SD 1, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

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

Representative Nakamura's written remarks are as follows:

"I have numerous concerns regarding SB 1069. First, the state attorney general has opined that the proposed helicopter surcharge may be subject to a preemption challenge under the federal Anti-Head Tax Act. Second, 'noise-canceling' technology needs to be clarified in measurable terms. There is currently no accepted or articulated decibel (dBA) level and measurement (feet) distances to measure proposed 'noise canceling' technology. A required decibel threshold must be specified for an enforceable sound limit in the vicinity of residential/visitor populated or conservation areas. The decibel threshold should be agreed upon by various stakeholders and state agencies, including the Department of Health and the Department of Land and Natural Resources. Both agencies did not provide testimony on this bill.

"Before granting the privilege of tax credits, helicopter companies should work to address concerns regarding helicopter tour noise impacts on Hawaii communities – whether that means increasing flight altitudes, stricter regulations on flight patterns and/or narrower flight times, restrictions and controls must be collectively addressed."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1069, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REDUCTION OF NOISE FROM HELICOPTER OPERATIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Okimoto voting aye with reservations, and with Representative Nakamura voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2181) recommending that S.B. No. 412, SD 2, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 412, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 412, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Third Reading by a vote of 49 ayes to 2 noes, with Representative Okimoto voting aye with reservations, and with Representatives McDermott and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2183) recommending that S.B. No. 1034, SD 1, HD 1 pass Third Reading.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and S.B. No. 1034, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2186) recommending that S.B. No. 1395, SD 1, 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 S.B. No. 1395, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2188) recommending that S.B. No. 1025, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1025, SD 1, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative Matsumoto's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in strong support.

"Nearly a quarter of Hawaii's residents will be 65 years of age or older by year 2030. An investment in the Kupuna Caregivers program is an investment in our future and ultimately a positive investment in the wellbeing of Hawaii's economy.

"The Kupuna Caregivers program supports many of our seniors who need just a little extra help to remain in their own homes. With the allocation of \$210 per week, our *kūpuna* can receive services such as assisted transportation, homemaker services, personal care, and home delivered meals, just to name a few. Ultimately, these services afford seniors the independence and flexibility to choose and receive assistance services personalized to their individual needs while remaining in their own homes.

"This bill greatly assists caregivers with careers outside of the home to remain in the workforce with the peace of mind that the basic needs of their loved ones will be taken care of. With 154,000 unpaid family caregivers in Hawaii who are taking care of their parents, spouses, or other relatives who need extra care, the personal and financial strain can take a significant toll on the physical health of the caregiver. This program not only provides necessary assistance to Hawaii's *kūpuna*, but also allows caregivers to continue to earn retirement benefits for their future while helping Hawaii's businesses to retain qualified experienced workers.

"The Kupuna Caregivers program launched late 2017 and within its first few weeks, the Executive Office on Aging reported over 500 requests for services. The passing of this bill would assist in meeting the growing demand for services from the hundreds of family caregivers who have requested support from Kupuna Caregivers program.

"I strongly support investing in the wellbeing of Hawaii's working families and *kūpuna* through the Kupuna Caregivers program. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support, just a few brief comments. Mr. Speaker, drawing upon the state's long and expansive familial tradition, this body created Kupuna Caregivers in 2017. This is an important measure, because this program provides working caregivers with the resources necessary to remain employed by providing quality care to their loved ones in their absence.

"As we struggle with a huge cost of health care, this is a measure that is addressing head on that problem of the high cost of living. The Kupuna Caregivers Program has not yet had enough time to mature into the program as we all know it can, and that's why this measure calls and specifically spells out that the intent of this Legislature is to have the Office of Aging implement a plan to maximize the number of caregivers served by the program. It's very important, because as we struggled to grow this program,

we want to make sure that it maximizes the number of caregivers served by the program.

"One final thing, Mr. Speaker, we have given flexibility in this measure by appropriating \$1.5 million for the Office of Aging to have a maximum allocation from \$70 per day to \$210 per week to provide a range of services. Mr. Speaker, this is an important measure for the families in this state, and I stand in strong support."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1025, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE KUPUNA CAREGIVERS PROGRAM," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2189) recommending that S.B. No. 991, SD 1, HD 1 pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 991, SD 1, HD 1 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 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 S.B. No. 991, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representatives San Buenaventura and Tokioka voting aye with reservations, and with Representative Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2190) recommending that S.B. No. 537, SD 2, 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 S.B. No. 537, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2191) recommending that S.B. No. 187, SD 2, 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 S.B. No. 187, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JUDGES," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2192) recommending that S.B. No. 216, SD 2, 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 S.B. No. 216, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2194) recommending that S.B. No. 1530, SD 3, 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 S.B. No. 1530, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 51 ayes.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2197) recommending that S.B. No. 1303, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1303, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1303, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representative Okimoto voting aye with reservations, and with Representatives Perruso and Thielen voting no.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2198) recommending that S.B. No. 1263, SD 1, 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 S.B. No. 1263, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT," passed Third Reading by a vote of 51 ayes.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2199) recommending that S.B. No. 641, 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 S.B. No. 641, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTOXICANTS," passed Third Reading by a vote of 51 ayes.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2200) recommending that S.B. No. 551, SD 1, 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 S.B. No. 551, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives Har and Say voting no.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2201) recommending that S.B. No. 552, SD 1, 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 S.B. No. 552, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 51 ayes.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2203) recommending that S.B. No. 1082, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1082, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1082, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WAGES," passed Third Reading by a vote of 49 ayes to 2 noes, with Representative Okimoto voting aye with reservations, and with Representatives Thielen and Ward voting no.

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2206) recommending that S.B. No. 1422, 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 S.B. No. 1422, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Okimoto voting no.

At 9:55 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 427, SD 2, HD 1
 S.B. No. 1539, SD 1, HD 1
 S.B. No. 1069, SD 1, HD 1
 S.B. No. 412, SD 2, HD 1
 S.B. No. 1034, SD 1, HD 1
 S.B. No. 1395, SD 1, HD 2
 S.B. No. 1025, SD 1, HD 2
 S.B. No. 991, SD 1, HD 1
 S.B. No. 537, SD 2, HD 3
 S.B. No. 187, SD 2, HD 1
 S.B. No. 216, SD 2, HD 1
 S.B. No. 1530, SD 3, HD 2
 S.B. No. 1303, SD 2, HD 2
 S.B. No. 1263, SD 1, HD 1
 S.B. No. 641, HD 2
 S.B. No. 551, SD 1, HD 2
 S.B. No. 552, SD 1, HD 2
 S.B. No. 1082, SD 2, HD 2
 S.B. No. 1422, HD 2

Representative Lee, for the Committee on Judiciary, presented a report (Stand. Com. Rep. No. 2207) recommending that S.B. No. 1466, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1466, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

Representative Matsumoto's written remarks are as follows:

"Mr. Speaker, at this time, I rise in opposition.

"SB 1466 provides a mechanism wherein any individual could petition the court for an order to remove lawfully owned and acquired firearms from a person who is believed to be a danger to themselves or others. Although I empathize with what this bill is attempting to achieve, I have strong concerns with the practical and unintended impact it will have if it's passed into law.

"There is a high potential for abuse relating to gun violence protection orders. Mr. Speaker, in its current form, this bill would allow essentially any person, including an angry ex-spouse or former partner, to submit a petition to the court and, upon meeting the very low evidentiary threshold, obtain a temporary order removing one's access to firearms and ammunition. If the object of the petition were, for example, a police officer or military member, they would be unable to do their job until the order was resolved. In such a case, they might face termination of employment or loss of reputation based only upon a bare allegation. They could lose their rights and livelihood, Mr. Speaker, because someone had a potential axe to grind.

"This measure places an additional burden upon our already strained police departments and law enforcement officers. Even the temporary form of this order would require police to respond to the residence of the petitioner and seize any firearms they may have. Thus, based upon simply meeting a very low evidentiary burden, which most every petition filed under this law would easily meet, significant finite law enforcement resources would be diverted.

"This law is unnecessary and redundant. The law already has a vehicle that could accomplish the same thing as proposed in SB 1466; it's known as a temporary restraining order. Adding these measures will place another unnecessary strain on our judiciary.

"Although the idea behind this measure is noble and certainly I support reducing incidents of gun violence, this bill as written can and likely will have potential implications beyond those contemplated here and may not be the right bill to accomplish that goal.

"For those reasons I am in opposition to SB 1466. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1466, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GUN VIOLENCE PROTECTIVE ORDERS," passed Third Reading by a vote of 40 ayes to 11 noes, with Representative San Buenaventura voting aye with reservations, and with Representatives DeCoite, Har, D. Kobayashi, Kong, Matsumoto, McDermott, Okimoto, Quinlan, Say, Tokioka and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2208) recommending that S.B. No. 78, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 78, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

"Mr. Speaker, with reservations. While I support maintaining funding for preschool classrooms at charter schools that would otherwise close because of the loss of federal grant funding, I do have concerns about this measure's transfer of administrative authority for preschool programming from the DOE to the Executive Office on Early Learning.

"If authority over preschool curriculum, instruction, assessment, and professional learning support is exercised by EOEL rather than the DOE, then the furlough siloing of the department and EOEL will make it difficult for the department to incorporate the positive outcomes of PreK programming into its overall strategic planning or make decisions about how to best integrate PreK and K-12 to ensure instructional continuity.

"Furthermore, importantly, this measure states that, quote, teaching staff participating in the program shall participate in all relevant professional development, all professional learning sessions, coaching and mentoring, and meetings offered through the office of EOEL, provided that the office of EOEL shall cover the associated travel and substitute teacher costs. This sets a clear precedent for future collective bargaining violations where teachers who are employees of the DOE, not EOEL, could be compelled by an EOEL supervisor who is not their employer, nor part of their employer's bureaucratic structure, to participate in professional development at the discretion of EOEL. There is no clarification in this measure about when EOEL may schedule professional learning sessions or for what purpose or even whether or not these sessions shall be implemented in consultation with the appropriate collective bargaining units.

"Finally, the Governor called for expanding preschool to all families in his State of the State address this January. So, this bill does outline the administrative parameters for achieving that vision, but it fails to recognize

that the majority of our preschool classrooms, as developed by EOEL, are currently staffed by teachers who lack in early childhood education certification. So, we need to expand carefully, ensuring that we are delivering quality early learning experiences to children who are participating in our programs. Our first priority should be determining how we will fund an expansion of PreK to those who currently lack access, which this measure doesn't address. For those reasons, I'm voting with reservations. Thank you."

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

"Mr. Speaker, in strong support. Thank you, Mr. Speaker. This bill is necessary because it further clarifies that the administrative authorities, as it relates to the Executive Office on Early Learning, reside within that particular department. If there is a child that actually is in a DOE school, it is statutorily prohibited for them to be in a PreK classroom. That was established by the Legislature in 2012.

"Why it is very important for us to continue down this path is because currently, when you take a look at an EOEL classroom and you take a look at individuals that go through an EOEL classroom, they meet and exceed expectations. And these, Mr. Speaker, are children that come from social economic impoverished areas, they come from families that do not speak English as their first language in their homes, and they house students that come from other disadvantaged situations. So, EOEL is doing a very good job at actually administering this type of educational delivery in the State of Hawaii. We want to continue to allow them to do so.

"And objectively, when you take a look at the differences between DOE, public PreK classrooms, and EOEL classrooms, which I have done across the state, the DOE PreK classrooms do not, in fact, offer professional development to their teachers, they do not offer mentoring, they do not offer coaching, they do not offer that level of support. This is, in my mind, essential as to why we need to allow EOEL to continue to administer this type of education in the State of Hawaii.

"I agree with the previous speaker in that we do need to focus on expansion, and this bill also provides monies for that expansion. It also provides money to allow the 22 charter school classrooms to continue. Without this bill, those classrooms would cease to exist. It also transitions the authority of those charter school classrooms under the Executive Office on Early Learning.

"So, for many reasons, this bill is very important. We went through this bill with a fine-toothed comb and looked at some of the questions that the AG's Office had. We took care of those issues, so, as it stands right now, the bill stands within the constructs of law, and I'm asking my colleagues to support this proposal. Thank you."

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

"Thank you very much, Mr. Speaker. In support. First off, my respect and admiration for the Education Chair for his work on this bill. Far better job than the previous Education Chair could have done, I suppose. But, I think a bit of history is in order. In 2012, when Act 178 was signed into law, which created the EOEL, it established the administrative authority of the EOEL over early learning in the state. May I remind colleagues that the Department of Education in 2012 testified in favor, once again, in favor of this approach by creating this EOEL office so that they would be in charge of early learning initiatives and implementing programs in our state.

"In 2017, again, another bill was introduced to further clarify the administrative authority of the EOEL over early learning. So, when comments are made that somehow this bill takes away administrative authority of the department, it's baffling because you're taking away a nonexistent administrative authority. There's never been any bill or statute enacted that says that the DOE has anything to do with early education except for special ed and Title I classrooms. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. I'd like to cite a number of Strive HI indicators, these are the indicators that are presented to the Board of

Education year after year for the superintendent and her team's review. The high school graduation rate has stayed stagnant, the last three years we have 82%, 83%, 83%. The college going rates within our public schools has stayed stagnant, 56%, 55%, 55%. Teacher retention in fact has dropped over the last three years, 52%, 54%, 51%. Before the superintendent looks to take on even more issues, I highly suggest to her to take a look inward and get those numbers moving forward in an upward direction. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support, brief comments. From a very different perspective, I think this measure, when we look at all the ways again in which we are addressing the high cost of living, early childhood care is something that eats a lot of a family's budget. As we develop government programs that are addressing these matters, whether it's early learning, whether it's Kupuna Caregivers, whether it's the minimum wage, what we are designing are programs and policies that fit Hawaii and that work within constraints that we have. And so, for that reason I support this measure, as it provides the proper oversight through the EOEL. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support. I'd like to adopt the comments from the Education Chair and the IAC and CPC Chairs as my own."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 78, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 51 ayes, with Representative Perruso voting aye with reservations.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2209) recommending that S.B. No. 856, SD 1, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 856, SD 1, HD 3 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I'm in opposition. So, this measure combines a proposed adequacy study of public school funding with an audit of a school's academic and financial plans. That's problematic for several reasons. To begin, academic and financial plans are three-year plans, prepared months in advance of the actual school year for which they begin to be applicable. They're meant to be aspirational guides for resource allocation and are intended to be flexible, shifting a school condition, such as enrollment or available staff change.

"Moreover, auditing academic and financial plans will not reveal significant problems in resource allocation, like the number of non-classroom teachers, which are predominately found at the district and at department level. If this measure is intended to ensure that resources are maximized at the school level, it fails to do so by leaving out state administration entirely.

"Additionally, academic and financial plans themselves are formed under the ongoing pressure of our state's education funding crisis. While the adequacy study that's included in this bill is theoretically intended to determine how much more money is needed to bring our schools up to par, it's actually another means of kicking the can down the road. Adequacy studies themselves vary in breadth and depth, based on who's performing the study. And it's not necessary to perform an adequacy study to know that our schools are in need of better funding.

"Hawaii actually conducted an adequacy study in 2005. Even at that time, almost 15 years ago, our schools were found to be underfunded by hundreds of millions of dollars. The situation has only gotten worse since then.

"We cannot audit our way to a better school system. To deliver the schools our *keiki* deserve, we must commit to creating a dedicated funding stream for public education that keeps quality teachers in our classrooms and gives students the resources and opportunities they need to succeed. Thank you."

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

"Mr. Speaker, in support. Thank you, Mr. Speaker. I appreciate this particular proposal. In 2007, incorporated with a lot sweeping changes in our school system, the Legislature appropriated a bill that allowed for the establishment of school community councils. The school community councils were established to work with the communities and to work with the school to come up with not only financial plans, but also academic plans.

"And the idea is, these decisions are best made at the community level. And it's a strong way to establish effectiveness and efficiencies as it particularly relates to funding. So, in this way, this proposal actually encourages that that community involvement continue, and it's simply saying that we're using this mechanism as a means to look at the school systems to see if in fact our funding is adequate or if we need to do something about providing additional funding. So, for those reasons and others, Mr. Speaker, I stand in support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 856, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," passed Third Reading by a vote of 50 ayes to 1 no, with Representative Perruso voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2210) recommending that S.B. No. 1292, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1292, SD 2, HD 3 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. In support, but with just a few reservations. Mr. Speaker, the only thing that would improve the bill is if we would authorize the Department of Taxation to give the owner address information to the counties, then we would really have an effective bill. And if I may please have remarks to the Journal. Thank you."

Representative Thielen's written remarks are as follows:

"Thank you, Mr. Speaker. At this time, I rise in support with some reservations.

"As this body is well aware, the prevalence of transient accommodation rentals like those listed on Airbnb and VRBO have rendered our formerly vibrant communities almost unrecognizable.

"Streets that used to ring on Saturday mornings with the sound of lawnmowers and children playing have been replaced by row after row of rental cars and itinerant tenants.

"SB 1292 takes an important step toward enforcing the laws we have on the books by requiring hosting platforms like Airbnb, VRBO, Expedia, and other companies to register as tax collection agents on behalf of their operators and plan managers.

"This creates a vital component of compliance. It requires hosting platforms to report to the state the following information: Name, address where the transient accommodation is located, TAT ID number, and GET ID number. It will quickly become clear if vacation rentals are outside compliance.

"Requiring this kind of information is a necessary first step on the road to enforcing compliance with zoning and licensing and will hopefully reverse the over-proliferation of transient vacation rentals.

"I applaud this body for taking the bold steps necessary to increase the public's oversight on these companies destroying our precious communities.

"My concerns with this bill, however, come into play when we look at who is going to need this information to enforce the laws on the books. Unfortunately, this bill doesn't contain provisions to explicitly require information-sharing with counties, who need to enforce their ordinances.

"Therefore, Mr. Speaker, I cast a confident 'yes' vote with only mild reservations, wishing that this bill could have done slightly more to help restore our communities and reduce the number of illegal vacation rentals. Thank you, Mr. Speaker."

Representative Hashimoto 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 Hashimoto's written remarks are as follows:

"Mr. Speaker, I rise with reservations on SB 1292.

I appreciate all the work that has already gone into this bill, which is an important step towards making sure that vacation rentals operate legally and pay their fair share of taxes. However, there are improvements to the reporting requirements that I would like to see made that are important to helping the counties with their enforcement responsibilities.

"In order for effective enforcement to take place, we must share data on vacation rentals with the counties. This is a situation where working together is critical to our future success and enforcement.

"If we didn't think this aspect of sharing information was critical, we should have passed a similar version of this bill years ago.

"Advertisements for transient accommodations should include their county permit or registration number in counties that issue them. And information gathered by tax collection agents should be made available to the counties for land use enforcement purposes.

"I have already spoken with some of my colleagues on Maui about what the language could look like. And as the bill goes through conference committee, I look forward to discussing its incorporation into the final version.

"Again, I appreciate all the progress that has already been made with this bill and, of course, with addressing an issue important to making our state more affordable to live in. Thank you, Mr. Speaker."

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 asked that her written remarks be inserted in the Journal, and the Chair "so ordered." (By reference only.)

Representative Matsumoto's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of SB 1292, SD2, HD3.

"I strongly sympathize with my constituents on the North Shore who have had their communities devastated by the proliferation of transient vacation rentals. Lively neighborhoods and stable community life have been replaced by the impermanence of temporary tenants, who contribute little to our civic life.

"SB 1292 is a vital step toward enforcing our current laws. It will bolster our ability to hold hosting platforms, like Airbnb, VRBO, and Expedia, accountable by requiring them to register as tax collection agents on behalf of their operators and plan managers. Reporting certain information to the State, such as the name, address where the transient accommodation is located, TAT ID number, and GET ID number is just a part of this bill's new requirements. With this information, the State will be able to better determine when and where vacation rentals are out of compliance with state and county law.

"I want to thank this body for taking the bold steps necessary to increase our oversight of these companies who are tearing apart our precious communities and raising rent for the rest of us.

"For these reasons, I support SB 1292, and eagerly anticipate the day when the liveliness and localness of our communities are restored."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1292, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS," passed Third Reading by a vote of 50 ayes to 1 no, with Representatives Hashimoto and Thielen voting aye with reservations, and with Representative Say voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2212) recommending that S.B. No. 1405, SD 2, 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 S.B. No. 1405, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC SMOKING PRODUCTS," passed Third Reading by a vote of 49 ayes to 2 noes, with Representatives McDermott and Ward voting no.

Representative Luke, for the Committee on Finance, presented a report (Stand. Com. Rep. No. 2213) recommending that S.B. No. 1033, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Belatti moved that the report of the Committee be adopted, and that S.B. No. 1033, SD 2, HD 2 pass Third Reading, seconded by Representative Morikawa.

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

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

"With reservations, Mr. Speaker. So, this bill has been a topic of much discussion in my household. My wife actually was considering having a home birth, and while she ultimately decided not to, she did retain the services of a doula throughout her pregnancy. And this woman in particular I felt was very helpful to my wife throughout that pregnancy. And I would really be tempted to study this issue on a deeper level, but I must admit that on some level it does elude me, never having had any formal medical training, I cannot claim any great competence in this area.

"I've read all the testimony, much of it from my own constituents. And for those who are in opposition to this bill, please hear that I do take your concerns to heart and I have listened. But ultimately, I feel that, very strongly, that this is an area, whenever we have issues that touch on health services, I think licensure is increasingly important and appropriate. And for that reason, Mr. Speaker, I stand with reservations. Thank you."

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

"Mr. Speaker, in opposition. Mr. Speaker, I come from a midwifery household. I am the only one born in a hospital in my household. But I see this as another one of those areas of overreach. Basically, because of the failed task forces that were supposed to basically come to an agreement, which they never held and then they never had an agreement, so we're stuck with a bill here that's, this is I think five versions of the bill, all of them flawed, because they all violate a woman's civil rights to choose where and with whom they can birth. Repeat, Mr. Speaker, violates a woman's right to choose where and with whom they will give birth. And I know there are a lot of people who are very big on women's rights.

"Specifically, in section one it says that the act does not impede one's ability to incorporate or provide cultural practices, but then, Mr. Speaker, fast forward to section six it says, oop, there's an exemption on traditional cultural practices that expires July 1, 2020. We're already almost to 2020. So, it doesn't provide a reasonable pathway to acquire certification in order

to become licensed in Hawaii because it does not include apprenticeship pathway after January 1, 2020.

"Second point, Mr. Speaker, is that there's no data that says this is any more dangerous than any other birth. In fact, you know it's embarrassing to cite this statistic, that the US is number, let's say we rank second to last in developing nations in infant mortality and maternal mortality rating. That is embarrassing, Mr. Speaker. So, if you're born in a hospital, compared to other parts of the developing world, we're at the bottom of the line. But here, Mr. Speaker, and we did extensive discussion of this in the Health Committee, we said, well where is the data that says how many people of midwifery birth versus hospital birth, what's the danger, what's the death rate, what's *et cetera*? No data. Repeated request, no data has come forward.

"So, Mr. Speaker, we're kind of behaving like the Europeans, and I say this having been a consultant with the United Nations for a number of years. The Europeans put up barriers to people getting into small business by having licensure and insurance requirements. This is to say that, in a way, there is a turf war that's always struggling, ever since the guild system in Western Europe. We want you to be licensed, we want you to be insured, or you can't get it. That's why small business does not survive in Europe, at least Western Europe.

"And here, Mr. Speaker, we've got it to where, and I commend the good Representative from Hilo, hey even barbers have got to be licensed. Well, those are areas where if we keep on this area of licensure and insurance, following the European model, someday we're going to have to license the dog walkers and others. Government will become even more and more aggressive in its licensure.

"So, Mr. Speaker, the bottom line here is that we don't have a proud record of hospital births, but yet we're trying to push out those in the midwifery business, those who have done heretofore from biblical days to now have done very well. And until we have data, until the metric says this is a danger to our public, let us leave our midwives alone to do the business that they were trained to do. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support of the measure. Just a little bit of history. The purpose of this bill is to resolve a lapse in regulation that occurred 21 years ago. This measure protects the health and safety of women and unborn infants by establishing licensure and regulating requirements for midwives under DCCA. To emphasize again, midwives were regulated in Hawaii from the 1930s to the 1998. The regulation of midwifery was repealed in 1998 when nurse midwives were placed under the purview of the board of nursing.

"Since then, the licensure of midwives is a matter that has been brought to the Legislature many, many times. It is well documented by Senate Concurrent Resolution 64, SD1 (1998), the subsequent 1999 Auditor's Report No. 99-14, House Concurrent Resolution 65, HD1 (2016), and the subsequent 2017 Auditor's Report No. 17-01 that we need regulation.

"Each year we hear stories why regulation is so needed in Hawaii. We may not have hard stats or figures, but unfortunately, the stories about what is happening in our communities are getting worse and worse. The Hawaii Section of the American College of Obstetricians and Gynecologists made this bill a top priority because of the cases that they see every day in our hospitals.

"Let me share with you some of their stories. From Dr. Ronnie Texeira, an OBGYN from the windward side, quote, 'we are seeing more midwives come to Hawaii to practice because they lost their license in another state. They can basically do whatever they want here without any repercussions. I had a patient whose midwife didn't even make it to her delivery but sent her apprentice who didn't know how to do a vaginal repair but did one anyway instead of just sending her to the hospital.'

"From Dr. Duffy Casey, an OBGYN on Maui, quote, 'I have taken care of patients who've lost more than one-half of their blood volume due to lacerations which were not recognized and left unrepaired, mothers with significant infections left untreated, and patients with massive hemorrhage.

These preventable complications occur when the unlicensed midwife providing care for the patient outside of the hospital misses the warning signs of a serious problem. They enter into a runaway cycle of denial and delay which leads to an escalation of the clinical problem.'

"And from Dr. Danielle Ogez, an OBGYN on Oahu, quote, 'I have taken care of a patient who had attempted a home birth with an unlicensed midwife, during which her uterus came apart. The baby did not make it, and she almost lost her life, but thankfully made it to the hospital in time. My colleague recently took care of a patient who had completed a home birth attended by an unlicensed midwife, and came into the hospital with further bleeding. He took her to the operating room to stop the bleeding and discovered an undiagnosed second twin.'

"I understand the concerns of members about access to health care in rural areas. I think the question we really need to be looking at is the quality of care that people are receiving, not just in rural areas but all over the state.

"I'd also like to clarify some misstatements about the bill in front of us. This bill provides an exemption for persons acting as birth attendants on or before July 1, 2023, not January 1, 2020. It also provides an exemption to those who are practicing traditional, Hawaiian healing practices of prenatal, maternal, and child care as recognized by any council of *kūpuna* convened by Papa Ola Lokahi. So, there is sufficient exemptions in here to allow for home birth and home choice.

"Finally, the task force that's been created will allow for members of the community to continue to provide recommendations to this body to be able to develop regulation of direct-entry midwives.

"This is a measure that has been worked on by many members in this body, and I would like to especially thank the Vice Chair of the CPC Committee as well as the Chair of Finance for taking up this important measure this session. So, Mr. Speaker, for all of those reasons, in strong support of this measure. Thank you."

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

"Thank you, Mr. Speaker. In support. Today the House of Representatives will have the opportunity to pass legislation on an issue that's been going back and forth through this body and the Senate for over 20 years. To our colleagues who will be voting no or with reservations, and to my good friend from Hawaii Kai, thank you. Thank you to display that we do not rubber stamp any bill before this body. In fact, the very genesis of state legislatures is to evolve with society.

"In looking at this bill, I have a question. Does a practice of midwifery touch upon health, safety, or welfare of our consumers? And the answer is yes. Clearly, yes.

"I'm going to go on a slight tangent, kind of like a story, and talk about my sister-in-law who has a nail salon. It's called Lily's Nail Salon at Ala Moana Shopping Center, and it relates to this bill and I'll tell you how. For all of her employees, cosmetologists, they need to be licensed. They have to have 1,800 hours at a minimum, 1,800 hours education and training. For her hair stylists, they need 1,200 hours minimum, education and training. And for people that simply do nails, nail technicians, 350 hours minimum, education and training. They all need to be licensed by DCCA, they all take state board exams.

"I'm sorry to make the comparison, but as I was pondering this bill and thinking about the delivery of a new born baby and the significant safeguards that we ought to have in place for our people, I made the comparison with people that make up our hair, work on our facial skin, and beautify our nails, and they're held to a very high standard as far as education, training, and our state board exams and standards. So, I'm a little perplexed that people are saying that this practice of midwifery should not be regulated when we regulate people that do hair, nails and skin.

"Mr. Speaker, the Auditor's report in 2017 was clear, and I am going to quote the words from the Auditor's report in 2017. 'The Hawaii Regulatory Licensing Reform Act requires that the profession of midwifery be regulated and its practitioners be licensed.'

"Mr. Speaker, within a one-year time period, I had the opportunity to chair three hearings on the midwifery bill, and I got to participate as a member on the Consumer Protection & Commerce Committee. Four times in just a one-year period, this issue has come across. So, to say we need a time out or another task force or just a little more time, from my point of view that's incorrect. We don't.

"And I want to encapsulate this bill with six words. Life, newborn, mother, safety, consumer protection. I believe it represents this bill, but I also believe it represents a good friend, our colleague, the Vice Chair of Consumer Protection & Commerce who fought for this bill, and if it wasn't for her we wouldn't be having a floor debate and having this go on third reading today. I'd also like to thank the Chair of Commerce, Consumer Protection, and Health Committee on the Senate side, I wanted to thank the Chair of Finance, and the Chair of Consumer Protection & Commerce on the House side."

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

Representative Mizuno continued, stating:

"And finally, I wanted to say, this is about civil rights for the newborn baby. For those reasons, I stand in support of this measure. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm standing in opposition in defense of our rural communities that don't have the same access to health care that we might have here on the island of Oahu. I'd like to, it's a little early for introductions, but the gallery is full of young women and practitioners that will be made illegal in three years from now. So, I'd like everybody to just look them in the eye and take your vote very seriously.

"I'd like to make the point that, while the examples of complications that were stated by our Majority Leader, by unlicensed midwives, there are no licensed midwives right now in the State of Hawaii. All midwives are unlicensed. And with the US having the second worst rates of infant mortality of any industrialized nation, the UN is recommending that the United States incorporate more midwifery practice to try to curb our infant mortality.

"Hawaii doesn't have a really bad infant mortality rate compared to the rest of the states. And so I'm glad there's a task force in this bill, I think that's a good component. I think the midwifery community is supportive of regulation and that a path to licensure, if it's being mandated, that licensure should be made available easily to these practitioners. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Second time, Mr. Speaker, in opposition. First, I'd like to thank the Chair of Health who, Mr. Speaker, was overly open to all kinds of comments for all kinds of length of debate and I think it was a thorough hearing. So, thank you, Chair of Health. I commend those speakers who give anecdotes, but that's not hard data.

"Mr. Speaker let me confess, since I've been a freshman in this place coming out of academia, we use anecdotes and stories rather than data and hard facts to make legislation. I mean, if we were second in the developed world for maternal mortality, infant mortality rate in the hospitals, well what's the data to say about those who are with midwives?

"You know, passing legislation, and I'm going to make this for all the things that we do. If we don't have metrics, Mr. Speaker, this is seat-of-the-pants kind of policy making. And until we find out that whatever the midwives have done or not done, systematically not anecdotally. Anecdotally, anybody can anecdote. Everybody knows somebody who knows something about something. But to get facts and figures of which our Department of Health should be collecting if they're doing their job, we

should know unequivocally that this is dangerous and therefore should be regulated.

"Until then, Mr. Speaker, let the midwives do what they're doing and let the women's rights who choose to give birth with or without the hospital around. You know, this body is very big on women's rights. I think there's a bit of hypocrisy going on here, where they cannot choose a midwife because of what this bill is going to do to put them out of business.

"For those reasons, Mr. Speaker, I think we need to be aware that, as the Majority Leader has said, this used to be where it was regulated, but history is in the eye of the beholder. Why did they deregulate it? Because they said there's no problem. And if they didn't say there was no problem, they let it alone for the last 20 years, because there was no data that says that there is a problem. So, Mr. Speaker, let's not be a solution in search of a problem, let the midwives be the midwives and carry on what they're doing. Thank you."

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

"Thank you, Mr. Speaker. Please note my reservations. May I please adopt the words of the Vice Chair of the Energy & Environmental Protection Committee into the Journal as if they were my own. And with respect to the task force, I just think it behooves us to have an OBGYN who would also sit on the midwifery board. So for those reasons, Mr. Speaker, I stand with reservations. Thank you," and the Chair "so ordered." (By reference only.)

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

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

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

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

"With reservations, Mr. Speaker, brief comment. One thing I've learned at my age is, to me, birth is very natural and life happens. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support. I wasn't planning on speaking on this measure, but I did want to say a few words, because this is something that has been somewhat a close issue to me for some time, behind the scenes.

"I, for a long time, have been very fortunate to know and be very close to an OGBYN who I have great respect for. And for a long time, I was chastised by her for coming home late because of our duties here. And the one day that we had set aside for a nice dinner, just getting away, she ended up not showing up. Which was kind of irritating, because I planned this whole thing out. But what I found out after the fact was the reason she hadn't shown up was because one of her patients had come back in to the hospital after a long break, and came in and spent 12 hours hemorrhaging and bleeding out and eventually coded and died, and the baby died too. And it was because bad advice was given by people who were a midwife at the time without the adequate training, skills, and ultimately decision-making capacity to do what was in the best interest of both the mother and the child. That's something that was completely avoidable. And just like that case, there are so many others that are completely avoidable.

"This is something that I think is so important, not just because it's a policy, it puts regulations in place that, that does all the things we've been

talking about, because ultimately it saves lives. And that's the bottom line. We can talk about data and statistics and all the things that my good colleague from Hawaii Kai mentioned, but the thing is, we know what's happening, whether it's one story or two or three or more. How many dead babies, how many dead mothers does it take to be enough to justify taking some action, to protect those who are still at risk? Because that midwife who was responsible for giving that bad information is still out there right now and is still working with families right now. So, Mr. Speaker, I think this is a prudent and responsible measure going forward. Thank you very much."

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

"Thank you, I just wanted to briefly correct the record. In support. There are literally dozens of comprehensive studies that you can find on a brief Google search, just like I could find them two years ago when I was part of the Health Committee. You can easily find them now. In virtually every part of the developed world, these studies exist. And what you will find is that, while in some countries, home births that are attended by midwives are safe, that is not the case on a large scale in the United States. You will find death rates for infants to be roughly anywhere from two to seven times higher, depending on the study and depending on the state. And you will find that in that subcategory, when you are differentiating between for states that do have licensure for certified nurse midwives versus uncertified, that the death rate is also higher for those uncertified nurse midwives.

"This is very easy to access, and to claim that there is no data is misrepresenting the case. So, while I would appreciate our Department of Health conducting a very broad study on this, there is data in virtually every other state and, like I said, almost every developed country. The data is relatively clear. And I wanted to give a brief shout out to modern medicine, which in 2019 we seem dedicated to fighting. Thank you."

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

Representative Mizuno rose to respond, stating:

"Thank you, second time, still in support, Mr. Speaker. I wanted to kind of address some of the questions from my good friend and colleague from Hawaii Kai, the Minority Leader. The reason we did away with the midwives board is because back in history there were only two midwives left at that time and they were both nurses, so they were rolled into the Board of Nursing.

"To also address another concern with statistics or data, from 1991 to 1996 we had approximately 171 home births, delivered at home, babies delivered at home. That's nearly doubled today. In 2015, the home birth rate was 339 in the State of Hawaii, and the trend continues upward. Therefore, it's important to have consumer protections to address home delivery.

"And finally, Mr. Speaker, the law is the law. Under the Hawaii Regulatory Licensing Reform Act, this Legislature, this body has a duty to license a profession so long as it deals with the health, safety or welfare of the consumers. So, under that law, it's our duty to license midwifery and the practice of home birth deliveries.

"Again, for those reasons and stating the obvious, the only person not at the table for this bill is someone that can't speak, the newborn baby. We owe it to have proper safeguards to ensure that newborn baby and the mother provides the best health care. Thank you, Mr. Speaker."

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

"In support. I'd like to ask that the words of the Majority Leader be adopted as my own," and the Chair "so ordered." (By reference only.)

Representative Nakamura continued, stating:

"And I also wanted to say that when I go to a dentist, I expect the dentist to be licensed. When I see a physician, I expect that physician to meet certain standards within our state.

"I think that a very important part of this bill is the creation of the task force, because the intent is not to put traditional midwives and not to put cultural practitioners out of business, but the three years gives us the time, the opportunity to have the deliberation to figure out what is the pathway that's best for this group of practitioners.

"And I really applaud the Commission on the Status of Women for stepping up to take on this job that hasn't been really implemented before. And I want to also recognize again the Representative from Aliamanu who has pulled together a step in the right direction for our state. Thank you."

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

"Thank you, Mr. Speaker. In support. May I adopt the words of the Majority Leader as if they were my own?" and the Chair "so ordered." (By reference only.)

Representative Ichiyama continued, stating:

"And permission to insert further written comments. I just wanted to make a few notes, and thank you very much to the Representative from Kauai for noting the importance of the task force.

"I think we all heard the concerns from the community that there was a section or a group of people who were not included in previous discussions, who are not being heard. And at the same time, we also heard the testimony that they wanted to support those who requested licensure, who sought licensure out for themselves.

"And so this bill strikes a balance by allowing those who have the credentials and training and who are ready for licensure, who are asking for licensure, to obtain that, to allow them to practice to the full extent of their ability. And then creates the task force as well as a four-year period for us to look at, okay, what is this other group? Who belongs in this group? What are their qualifications? What are their competencies? I think they deserve the time and space to really work those issues out and come back to us and explain, okay, what is a traditional midwife or a biblical midwife or a direct-entry midwife or a birth attendant or a birth keeper. So many names, so many definitions, Mr. Speaker, that I think really deserve a thoughtful discussion by the task force.

"I also think it's important to recognize that the task force is self-determination for this group. For them to talk amongst themselves, to work amongst themselves with the cultural practitioners and tell us what is right for them. It's not us imposing any hierarchy on them. It is them telling us what is right for that group.

"Finally, Mr. Speaker, I'd just like to highlight some data that was shared by the Midwives Alliance of North America. They did a study of 40,000 cases of birth planned in the community setting, and this data is derived from medical records, which is the gold standard of medical research. This data found that groups of pregnant women who had risk of preeclampsia, carrying babies in a breech position, have a significantly increased risk of serious outcomes, including neonatal mortality seven to ten times higher. And this is all research that has been conducted in the United States, Mr. Speaker.

"So, I think there is data out there, that there are times when a home birth is not the safest option for a mother and the child, and we need to ensure that there are practitioners in the community who can recognize those signs before it's too late. To recognize when they need to do a transfer so that we don't have patients showing up at the hospital who've have lost half their blood volume. I think those are the circumstances that we are trying to address with this bill. Thank you, Mr. Speaker."

Representative Ichiyama's written remarks are as follows:

"Thank you, Mr. Speaker, for the opportunity to submit additional written remarks in support of this measure.

"We have struggled with the issue of licensure of midwifery for many years. I sincerely appreciate the members of the Health and Finance

Committees who took the time to study this issue and understand all the moving parts.

"When this bill first came to the House, it had many challenges. We worked hard with all the stakeholders to listen to their concerns and consider their input. The result, which is before us today, is a much-improved measure that represents compromises on all sides.

"People have made a lot of statements about what this bill supposedly 'does.' Let's be clear about what the bill contains.

"First, the bill creates a program for licensure of midwives, starting July 1, 2020. In order to become a licensed midwife, you must either be a certified midwife or a certified professional midwife. Hawaii will continue to recognize the North American Registry of Midwives apprenticeship pathway for those who became certified professional midwives prior to 2020.

"Second, the bill completely exempts family members, OBs, certified nurse midwives and Native Hawaiian practitioners recognized by Papa Ola Lokahi. Native Hawaiian practitioners who do *lomi lomi*, *lā'au lapa'au* or other practices for *hāpai* women will be able to continue to do so without a midwife license.

"Third, the bill exempts birth attendants until July 1, 2023, so long as they do not use prescription drugs or devices, do not advertise as a licensed midwife, and provide certain disclosures to clients.

"This exemption is intended to allow traditional midwives, direct-entry midwives, biblical midwives, student midwives, birth keepers, *etc.* to continue practicing as they have been and to give them time to come back to the Legislature next year with a proposal on how they should be recognized as a profession and held accountable.

"That is why Part II establishes a Home Birth Task Force, so that all community birth practitioners can talk at the table with hospitals and OBGYNs on what are the appropriate levels of consumer protection and transparency and oversight. The intent is that the Home Birth Task Force will come back to us next session and we can consider their proposals.

"Finally, I would like the members to understand that this bill contains a five-year sunset with a requirement that the state auditor evaluate the program and whether it is accomplishing the goal of protecting consumers. In light of all the concerns raised, we want to make sure that we are getting this right and that we are protecting mothers, babies and families. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'd like to get a ruling on a conflict, my wife is a certified nurse midwife," and the Chair ruled, "no conflict."

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

"I wouldn't think so. In strong support. Anyway, because she is a certified nurse midwife, while she is retired, she was able to and she worked in hospitals only. But over the years, as the emergency physician and because my wife is a certified nurse midwife working in a hospital, we saw cases, disasters, that happened because of out-of-hospital births. We also saw disasters of in-hospital births.

"So, you know, birth is a very precarious operation. It's natural, but so is death. And in the past, there were many more deaths than you have presently. So, I think I wanted to congratulate the Vice Chair of Consumer Protection & Commerce and the Chair of Health for taking on this issue, which I think is very vital, and as the Chair of Health says, is supporting the babies. Not just the mothers, but the babies. And I think that's what we should keep in mind going forward. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I stand in support. And if I could have the words from the Vice Chair of CPC entered into the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Matsumoto continued, stating:

"And just a few brief comments. I think I might take a little bit different take on this bill. I gave birth to my son a year and a half ago, and I did opt to have my birth in the hospital, but I was attended by a doula, because I wanted to have a natural home birth.

"And what I actually see this bill doing is providing a pathway to having more home births that are covered by insurance, because birth can be costly. And so in states that have licensure like New Hampshire, New Mexico, New York and Vermont, they also require insurers to cover at-home births, something that's currently not happening now.

"So, I actually see this bill as a way to move forward, to have a pathway to have more home births, and to also have a continuum of care, to be able to have that transferability in case there are issues, that there are that relationships between the midwives and the OGBYNS and the doctors and the hospitals. And for those reasons, I stand in support. And I'd also like permission to insert more written comments into the Journal. Thank you."

Representative Matsumoto's written remarks are as follows:

"At this time, I rise in support.

"Mr. Speaker, a person in Hawaii could not cut your hair or install gutters on your house unless they were properly licensed to do so. We regulate these industries because we want to protect our citizens from mistakes that could happen with unregulated and unchecked services. Similarly, we regulate doctors, nurses, and other healthcare professionals; we require them to obtain licensure as a way of verifying that they have the proper training and credentials to provide their services in a safe manner. Mr. Speaker, regulation of midwives is no different.

"SB 1033 is simply a measure to protect the most vulnerable among us, unborn infants. Requiring licensure would allow women who decide to use these services to do so confidently – knowing that the midwife they select is properly educated and licensed to provide the care necessary for that position.

"Mr. Speaker, Having the opportunity to talk with first responders, those on the front lines who witness the terrible tragedy that can result when a home birth goes awry, the necessity of this measure becomes all the more obvious. Even one preventable death, is one too many.

"A road to licensure for midwives would allow more underserved communities and underserved women to take advantage of these services. By having licensure and educational standardization for these medical professionals, insurance companies will likely be more willing to cover the costs associated with these services, making them much more widely available.

"Mr. Speaker, the person who cuts your hair or installs gutters on your house is required to be licensed to engage in those activities; it is extremely unlikely that either of those individuals will be required to provide decisive care in a life or death situation. Midwives are involved in the delivery of a baby outside of a hospital setting – they may, at any time, be required to act to save a life.

"Mr. Speaker, it simply makes good sense that we, as a body, make sure that when, not if, that situation arises, the midwife is ready and capable of meeting that great responsibility. For those reasons, I am in strong support of this measure. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1033, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LICENSURE OF MIDWIVES," passed Third Reading by a vote of 47 ayes to 4 noes, with Representatives Cachola, DeCoite, Har, D. Kobayashi, Kong, Okimoto, Perruso, Quinlan, Say and Tokioka voting aye with reservations, and with Representatives Gates, McDermott, Ward and Wildberger voting no.

At 10:44 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1466, SD 2, HD 2
S.B. No. 78, SD 2, HD 2
S.B. No. 856, SD 1, HD 3
S.B. No. 1292, SD 2, HD 3
S.B. No. 1405, SD 2, HD 2
S.B. No. 1033, SD 2, HD 2

At 10:44 o'clock a.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:53 o'clock a.m.

THIRD READING

S.B. No. 1223, SD 2, HD 1:

Representative Belatti moved that S.B. No. 1223, SD 2, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

Representative Nakamura's written remarks are as follows:

"While the Department of Hawaiian Home Lands (DHHL) claims that Act 141 has been successful, at the April 4, 2019 Finance Committee hearing DHHL was unable to provide data related to the number of new homes or lots created under this act in the last 10 years. This lack of data does not support DHHL's claim that this program provides beneficiaries affordable housing opportunities at no cost to the State.

"The City and County of Honolulu Department of Planning and Permitting has concerns that this program creates credit value that DHHL is able to sell to developers who then use the credit value to fulfill affordable housing requirements imposed by respective counties. This actually comes at a cost to the counties and State, as each credit used by a developer reduces the number of affordable homes that otherwise would be produced as part of county or city transit-oriented development projects, unilateral agreements or as mandated by Ordinance 18-10.

"DHHL should be required to keep record of the number of homes and lots that are created under Act 98 and Act 141, respectively.

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 am voting with reservations on this bill because this law has been on the books for 10 years and will be extended for another five years under this bill. I would like more information on how the use of these credits has helped DHHL develop affordable housing. How many affordable housing units has DHHL built and how much was spent by developers to do so? Since the City and County of Honolulu expressed concerns that these credits will reduce the number of affordable homes produced as part of their transit-oriented development projects, what impact will the DHHL credits have on them in the next five years? *Mahalo.*"

The motion was put to vote by the Chair and carried, and S.B. No. 1223, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING ON HAWAIIAN HOME LANDS," passed Third Reading by a vote of 51 ayes, with Representatives DeCoite and Nakamura voting aye with reservations.

S.B. No. 1002, SD 1, HD 1:

Representative Belatti moved that S.B. No. 1002, SD 1, HD 1 pass Third Reading, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. I just want to stand in support, and if this bill were a child, it would be available for selective service this year."

The motion was put to vote by the Chair and carried, and S.B. No. 1002, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SEAWATER AIR CONDITIONING PROJECTS ON OAHU," passed Third Reading by a vote of 51 ayes.

At 10:54 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1223, SD 2, HD 1
S.B. No. 1002, SD 1, HD 1

SUPPLEMENTAL CALENDAR #1

SENATE COMMUNICATIONS

The following communication from the Senate (Sen. Com. No. 686) was received and announced by the Clerk:

Sen. Com. No. 686, transmitting H.B. No. 1561, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRIBUSINESS DEVELOPMENT," which passed Third Reading in the Senate on April 9, 2019.

At 10:54 o'clock a.m., Representative Belatti moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Morikawa and carried:

H.B. No. 1561, HD 1, (SD 2)

The Chair then stated:

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

ORDINARY CALENDAR

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, today is a historic day for the Middle East. It's the election day for Israel, and depending on who becomes the prime minister, we'll really have a shift in what will happen or may happen with the Syria and the Iranian situation. Thank you, Mr. Speaker."

ADJOURNMENT

At 10:55 o'clock a.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 12:00 o'clock noon Thursday, April 11, 2019.

HOUSE COMMUNICATIONS

House Communication dated April 9, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and

members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following measures:

H.B. No. 6, HD 3, SD 1
H.B. No. 154, HD 1, SD 1
H.B. No. 158, HD 1, SD 2
H.B. No. 201, HD 1, SD 1
H.B. No. 214, HD 2, SD 1
H.B. No. 252, SD 1
H.B. No. 267, HD 1, SD 1
H.B. No. 273, HD 1, SD 1
H.B. No. 349, SD 1
H.B. No. 469, HD 1, SD 1
H.B. No. 507, HD 1, SD 1
H.B. No. 532, HD 1, SD 1
H.B. No. 658, HD 1, SD 1
H.B. No. 664, HD 2, SD 1
H.B. No. 665, HD 2, SD 1
H.B. No. 711, HD 1, SD 1
H.B. No. 760, HD 2, SD 1
H.B. No. 898, SD 1
H.B. No. 941, HD 1, SD 1
H.B. No. 1035, HD 1, SD 1
H.B. No. 1272, HD 1, SD 1
H.B. No. 1319, HD 2, SD 2
H.B. No. 1394, HD 1, SD 1

House Communication dated April 9, 2019, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate to the following measure:

H.B. No. 1561, HD 1, SD 2