

FOURTEENTH DAY

Thursday, February 6, 2020

The House of Representatives of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2020, convened at 12:05 p.m., with Vice Speaker Nakashima presiding.

The invocation was delivered by Ms. Aurielle Polynice of the Office of Representative Lynn DeCoite, after which the Roll was called showing all members present with the exception of Representatives Nakamura, Saiki, and Yamashita, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 3 through 6) were received and announced by the Clerk:

Sen. Com. No. 3, transmitting S.B. No. 840, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONS," which passed Third Reading in the Senate on February 5, 2020.

Sen. Com. No. 4, transmitting S.B. No. 2058, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORPORATE DIVIDENDS RECEIVED DEDUCTION," which passed Third Reading in the Senate on February 5, 2020.

Sen. Com. No. 5, transmitting S.B. No. 2066, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL FUND," which passed Third Reading in the Senate on February 5, 2020.

Sen. Com. No. 6, transmitting S.B. No. 2309, SD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on February 5, 2020.

On motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the following Senate Bills passed First Reading by title and further action was deferred: (Representatives McKelvey, Nakamura, Saiki, and Yamashita were excused.)

S.B. No. 840
S.B. No. 2058, SD 1
S.B. No. 2066, SD 1
S.B. No. 2309, SD 1

INTRODUCTIONS

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

Representative DeCoite introduced her staff: Rebecca Crall, Richard Oshiro, Hiilei Casco, and Aurielle Polynice.

Representative Todd introduced his staff, Jacob Perry, and his parents, Shaun and Malia Perry from the Big Island.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 20) was announced by the Clerk and the following action taken:

H.R. No. 20, entitled: "HOUSE RESOLUTION RECOGNIZING THE 15TH ANNIVERSARY OF THE LEGACY LAND CONSERVATION PROGRAM," was offered by Representative Creagan.

Representative Creagan moved that H.R. No. 20 be adopted, seconded by Representative Gates.

Representative Lowen celebrated the success of the Legacy Land Conservation Program in preserving and protecting natural, cultural, open

spaces, agricultural resources, and lands for public benefit, recognized their work building a strong base of private and public partners in conserving 37 properties to date totaling 21,600 acres across the state, celebrated their 15th anniversary, and introduced honorees who were seated on the Floor of the House:

Suzanne Case, Chairperson, Department of Land and Natural Resources;
David Smith, Administrator, Department of Land and Natural Resources,
Division of Forestry and Wildlife; and
William "Butch" Haase, Chairperson, Legacy Land Conservation Commission.

Representative Say recognized former Senator Russell Kokubun as the original advocate for the Legacy Land Conservation Program and thanked him for his vision and dreams, and congratulated the Legacy Land Conservation Program on their work for the past 15 years.

The motion was put to vote by the Chair and carried, and H.R. No. 20 was adopted, with Representatives McKelvey, Mizuno, Nakamura, Saiki, and Yamashita being excused

At 12:16 p.m., the Chair declared a recess to allow the Members of the House to meet and congratulate the honorees.

The House of Representatives reconvened at 12:22 p.m.

REPORTS OF STANDING COMMITTEES

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 137-20) recommending that H.B. No. 1934, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1934, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLEAN AND RENEWABLE ENERGY JOBS," passed Second Reading and was referred to the Committee on Finance, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 138-20) recommending that H.B. No. 1855, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1855, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 139-20) recommending that H.B. No. 2188, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2188, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY FACILITIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 140-20) recommending that H.B. No. 2413, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 141-20) recommending that H.B. No. 2454, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2454, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 142-20) recommending that H.B. No. 2492, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2492, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HYDROFLUOROCARBONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative McDermott voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Lowen, for the Committee on Energy & Environmental Protection, presented a report (Stand. Com. Rep. No. 143-20) recommending that H.B. No. 2404, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2404, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS FOR LOCAL RECYCLING FACILITIES," passed Second Reading and was referred to the Committee on Economic Development & Business, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Onishi, for the Committee on Tourism & International Affairs, presented a report (Stand. Com. Rep. No. 144-20) recommending that H.B. No. 1678 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1678, entitled: "A BILL FOR AN ACT RELATING TO MUSICAL PERFORMANCES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Woodson, for the Committee on Lower & Higher Education, presented a report (Stand. Com. Rep. No. 145-20) recommending that H.B. No. 2258, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2258, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was

referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Woodson, for the Committee on Lower & Higher Education, presented a report (Stand. Com. Rep. No. 146-20) recommending that H.B. No. 2740, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2740, HD 1 pass Second Reading and be referred to the Committee on Finance, seconded by Representative Morikawa.

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

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

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

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

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

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

"Mr. Speaker, thank you so much. In support. I appreciate the concerns. I've spoken to the author and we planned, if the bill moves forward, to change the language regarding plant-based requirement to locally sourced. So, I believe that will take care of everyone's concerns. Thank you, Mr. Speaker."

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

"With reservations still."

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

"In strong support, short comments. Being in a district that has practiced zero waste, it's about time we actually have a policy towards it on a statewide level. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2740, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Finance, with Representatives DeCoite, Har, Matsumoto, Okimoto, Tarnas, and Ward voting aye with reservations, with Representative McDermott voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Woodson, for the Committee on Lower & Higher Education, presented a report (Stand. Com. Rep. No. 147-20) recommending that H.B. No. 2243, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representatives Woodson and Johanson, for the Committee on Lower & Higher Education and the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 148-20) recommending that

H.B. No. 1695, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committees was adopted and H.B. No. 1695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STANDARDIZED TESTING," passed Second Reading and was referred to the Committee on Finance, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 149-20) recommending that H.B. No. 1894, as amended in HD 1, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1894, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BEGINNING FARMER TRAINING," passed Second Reading and was referred to the Committee on Agriculture, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 150-20) recommending that H.B. No. 2350, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2350, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 151-20) recommending that H.B. No. 2747, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2747, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI, SECTION 2, OF THE HAWAII STATE CONSTITUTION, TO AUTHORIZE THE LEGISLATURE TO REQUIRE THE FORFEITURE OR REDUCTION OF PENSION BENEFITS OF A MEMBER, FORMER MEMBER, OR RETIRANT OF THE EMPLOYEES' RETIREMENT SYSTEM WHO IS CONVICTED OF A FELONY RELATED TO THE MEMBER'S, FORMER MEMBER'S, OR RETIRANT'S EMPLOYMENT WITH THE STATE OR ANY POLITICAL SUBDIVISION THEREOF," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Johanson, for the Committee on Labor & Public Employment, presented a report (Stand. Com. Rep. No. 152-20) recommending that H.B. No. 2748, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2748, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representatives San Buenaventura and Woodson, for the Committee on Human Services & Homelessness and the Committee on Lower & Higher Education, presented a report (Stand. Com. Rep. No. 153-20) recommending that H.B. No. 1986, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committees was adopted and H.B. No. 1986, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAUMA-INFORMED APPROACHES," passed Second Reading and was

referred to the Committee on Finance, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 154-20) recommending that H.B. No. 1871, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 1871, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second Reading and was referred to the Committee on Finance, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 155-20) recommending that H.B. No. 2062, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2062, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SEXUAL EXPLOITATION OF CHILDREN," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative San Buenaventura, for the Committee on Human Services & Homelessness, presented a report (Stand. Com. Rep. No. 156-20) recommending that H.B. No. 2067, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2067, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 157-20) recommending that H.B. No. 2108, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2108, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"Thank you, Mr. Speaker. No vote on single-payer healthcare. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2108, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Matsumoto voting aye with reservations, with Representatives Okimoto and Ward voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 158-20) recommending that H.B. No. 2633, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2633, HD 1 pass Second Reading and be referred to the Committee on Judiciary, 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 and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2633, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANNABIS FOR MEDICAL USE," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Okimoto and Ward voting aye with reservations, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 159-20) recommending that H.B. No. 2110, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2110, HD 1 pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Morikawa.

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

"Mr. Speaker, I have a potential conflict. My mom was recently placed into a licensed foster care home," and the Chair ruled, "no conflict," and that the ruling would extend through *sine die*.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2110, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Har voting aye with reservations, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 160-20) recommending that H.B. No. 2561, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2561, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG RATE SETTING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 161-20) recommending that H.B. No. 2097, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2097, HD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Morikawa.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2097, HD 1, entitled: "A BILL FOR

AN ACT RELATING TO MEDICAL CANNABIS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Okimoto and Ward voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 162-20) recommending that H.B. No. 2692, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2692, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 163-20) recommending that H.B. No. 2234, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2234, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD DONATION," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 164-20) recommending that H.B. No. 138, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 138, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 165-20) recommending that H.B. No. 2630, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, the report of the Committee was adopted and H.B. No. 2630, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSITION OF THE OAHU REGIONAL HEALTH CARE SYSTEM FROM THE HAWAII HEALTH SYSTEMS CORPORATION INTO THE DEPARTMENT OF HEALTH," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 166-20) recommending that H.B. No. 2451, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2451, HD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Morikawa.

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

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

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

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

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

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

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

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

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

Representative DeCoite's written remarks are as follows:

"I am voting with reservations on this bill because I believe APRNs should not be prescribing lethal drugs under this law. We have only one year's experience with the Our Care, Our Choice Act and this bill may be moving too quickly. I believe it is acceptable to reduce the current waiting period from 20 days to 15 days. As this bill moves forward, we need to ensure that the safeguards we put in place when we enacted the law remain. *Mahalo.*"

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2451, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Aquino, Cachola, Cullen, DeCoite, Johanson, McKelvey, and Yamane voting aye with reservations, with Representatives Eli, Har, Kitagawa, Matayoshi, Matsumoto, McDermott, Okimoto, Quinlan, and Ward voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 167-20) recommending that H.B. No. 2540, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2540, HD 1 pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative Morikawa.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representatives Cabanilla Arakawa, D. Kobayashi, McDermott, Quinlan, and Ward voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

Representative Mizuno, for the Committee on Health, presented a report (Stand. Com. Rep. No. 168-20) recommending that H.B. No. 2507, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Belatti moved that the report of the Committee be adopted, and that H.B. No. 2507, HD 1 pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Morikawa.

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

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

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

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

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

"Thank you, Mr. Speaker. I'm rising to speak in strong support of the measure. I wanted to thank the Chair of Agriculture for the very detailed information that he has provided, I hope to all of us.

"The evidence is clear how destructive cigarettes can be to the people who are smoking, but not just them, to those that inhale the secondhand smoke. And I'm old enough to remember when there was just tobacco smoke everywhere. It just was a common thing, it was not prohibited being in any of our public buildings or any place.

"My oldest son, who has never smoked, developed throat cancer, and luckily survived it, but it was a very close call as to whether or not he would survive. And that came from the secondhand smoke.

"We've done great damage to many, many of the infants and babies and children in our society. Some of them that have survived will live with that damage throughout their lives. Some of them didn't survive.

"And as a group, we have a chance to actually do something and to recognize, I don't think there's any dispute about this, to recognize the devastating health impacts from tobacco. And by passing this bill and the previous one, we're going to stop some people from beginning to smoke. The most addictive time is from the young teenager up to probably age 25. You get past that, you're going to be okay for the most part.

"So, it's a very positive public policy. I preferred the Ag Chair's prior bill that set the age of 100 as the minimum age where you could purchase tobacco products, but that didn't make it, but it made a very good statement. This one, the age 25, will get probably 95%, 98% of the people past that stage where they would become addicted to tobacco or even choose to use it.

"So, I am in strong support, Mr. Speaker, and I think this body can be very proud to take this step. We've been first in the nation for some good things, and this would be at the top of the list. Thank you."

Representative Cabanilla Arakawa rose to respond, stating:

"Mr. Speaker, I would like to speak in opposition of this bill. One thing that we don't say in this Chamber, even though I may agree with the previous speaker, is that the tobacco tax funds a lot of worthy organizations in our state. For example, the University of Hawaii, the American Cancer Society, they all dip their hands into the tobacco tax. And the smokers and the people that buy tobacco, no one ever said thank you to them for supporting these worthy causes.

"So, I would like to thank them for paying high tax for the cigarette, because it also helps certain organizations in our town. So, there is a yin and yang in this matter. But we also need to acknowledge the contribution of those smokers who donate to these worthy causes, even though they may not like it, but we all enjoy the benefits that they give.

"With that, I'm in opposition of this bill, Mr. Speaker. I do not smoke, but I see the benefit of this for those who willingly want to spend money on cigarettes. Thank you."

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

"In opposition with a brief comment. About 95% of smokers have their first cigarette by age 21. So, you're looking at maybe 3% of the population that have their first cigarette between 21 and 25. So, I'm not sure how much impact that would actually have.

"Perhaps a more interesting approach would be to just give you a maximum number of years where you can smoke. So, let's cap smoking where you can't smoke over 50. And maybe that would be a little bit less politically popular, but more interesting at least and just about as effective."

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

"In support with a brief comment. I just want to push back on the notion that funding worthy programs through the tobacco tax should be a laudable thing. I think that it's kind of equivalent to saying that we need to keep people sick to keep the doctors employed. I don't like that. And I've heard that theory, that idea floated a number of different times, specifically for the tobacco tax, I just really don't agree with that notion. The tobacco tax is meant to go to programs to get people to quit smoking. It's like cultivating the disease to keep them employed. That's self-defeating in my mind."

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

Representative Creagan rose, stating:

"Thank you, Mr. Speaker. I had sent out a bunch of information explaining this bill to the membership, and I hope they could take a look at that and understand the reasons for this. But just briefly, the Institute of Medicine was tasked with looking at three ages to raise the minimum age of purchase of cigarettes 19, 21, and 25. They thought 21 was the most accomplishable and we—"

Representative Belatti rose to a point of order, stating:

"Mr. Speaker, point of order. May we ask if it's in support or in opposition?"

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

"In support, sorry. I rise in support. The Institute of Medicine picked 21 as the most likely, but 25 was much better. So, we did 21, we were the first state in the nation to do 21, and I think we could be the first state in the nation to do 25.

"So, this is just extending what the Institute of Medicine recommended. A lot of their rationale was protecting the brains of teenagers and young adults, the developing brains. And it's not just the idea of when they would

start smoking, but the fact that their brains are still developing, at least for males, until at least 25.

"But the other population that is highly at risk is pregnant women and their unborn and newborn babies. And that's not been very well addressed. Nicotine is a potent neurotoxin. Vaping and cigarettes provide a dose to the babies that's very damaging to their brains. Every baby of women that smoke has brain damage. How much brain damage and what part of the brains it affects may be somewhat random depending on chance, which nerves the nicotine kills. But every baby is damaged.

"In addition, even after babies are born, they die from the fact that their mother smoked. Twenty-five percent of SIDS deaths are caused by the mother smoking during pregnancy. Even if they've stopped at late pregnancy, it's too late. So, the babies are born, they go along for a couple months, and then they die. And that's caused by cigarette smoke. So, this bill will help protect at least the early pregnancies and their babies from that horrible fate. Thank you, Mr. Speaker."

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

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

"With reservations and short comments. I don't smoke, and I don't like being around people who smoke. However, when I was listening to the testimony at the hearing, there was no evidence as to why we are changing it from 21 to 25. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative San Buenaventura voting aye with reservations, with Representatives Cabanilla Arakawa, Gates, Holt, D. Kobayashi, McDermott, Quinlan, and Todd voting no, and with Representatives Nakamura, Saiki, and Yamashita being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 19) and concurrent resolution (H.C.R. No. 38) were referred to Printing and further action was deferred:

H.R. No. 19, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES' DIVISION OF BOATING AND OCEAN RECREATION," was jointly offered by Representatives Lowen, Creagan, McKelvey, Morikawa, Nakamura, Todd, and Yamane.

H.C.R. No. 38, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES' DIVISION OF BOATING AND OCEAN RECREATION," was jointly offered by Representatives Lowen, McKelvey, Morikawa, Nakamura, Todd, Yamane, and Creagan.

ANNOUNCEMENTS

Representative Yamane, for the Committee on Water, Land, & Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measure on Friday, February 7, 2020, at 9:30 a.m. in Conference Room 325, and the Chair "so ordered."

H.B. No. 442, Relating to Hawaiian Affairs.

Representative Yamane: "Mr. Speaker, it has come to the Chair's attention the need for resources for the State Archives to support issues that relate to the Hawaiian community."

Representative Lee, for the Committee on Judiciary, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the

following measure on Friday, February 7, 2020, at 2:00 p.m. in Conference Room 325, and the Chair "so ordered."

H.B. No. 2572, Relating to Privacy.

Representative Ward: "Mr. Speaker, just a friendly reminder, today is Dealer Day at the Capitol, Room 329, and I believe they always have a good lunch."

Representative Ichiyama: "Thank you, Mr. Speaker. Tomorrow is the American Heart Association's Go Red for Women Day. I'd like to encourage all members to wear red in recognition. Thank you."

At this time, the Chair stated:

"The Chair would like to remind members of today's triple referral deadline. For any bills moving from their first committees to their second committees in a triple referral, you must file the committee report with the Clerk's Office by 6:00 p.m. this evening. Please allow yourselves and your staff sufficient time to file the reports before the deadline."

ADJOURNMENT

At 12:42 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until noon tomorrow, Friday, February 7, 2020. (Representatives Nakamura, Saiki, and Yamashita were excused.)